

**ARKANSAS CODE
OF 1987
ANNOTATED**

OFFICIAL EDITION



VOLUME 5 • TITLE 6, CH. 50-84



Digitized by the Internet Archive
in 2013

<http://archive.org/details/govlawar200305>

ARKANSAS CODE OF 1987 ANNOTATED



VOLUME 5 2003 Replacement

TITLE 6: EDUCATION (CHAPTERS 50-84)

Prepared by the Editorial Staff of the Publisher

Under the Direction and Supervision of the
ARKANSAS CODE REVISION COMMISSION

Representative Steve Napper, *Chair*

Senator Gene Jeffress

Senator Sue Madison

Representative Will Bond

Honorable Douglas O. Smith, Jr.

Honorable William H. "Buddy" Sutton, Jr.

Honorable William G. Wright

Honorable Chuck Goldner, *Dean, University of Arkansas at
Little Rock, School of Law*

Honorable Richard Atkinson, *Dean, University of Arkansas at
Fayetteville, School of Law*

Honorable Tom Gay, *Senior Assistant Attorney General*

Honorable David Ferguson, *Assistant Director,
Bureau of Legislative Research*

COPYRIGHT © 1987, 1996, 2003

BY

THE STATE OF ARKANSAS

All Rights Reserved

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc. used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.

4062912

ISBN 0-8205-8474-6



LexisNexis™

Matthew Bender & Company, Inc.

P.O. Box 7587, Charlottesville, VA 22906-7587

www.lexisnexus.com

Sources

This volume contains legislation enacted by the Arkansas General Assembly through the 2003 Regular Session. Annotations are to the following sources:

Arkansas Supreme Court and Arkansas Court of Appeals Opinions through 2003 Ark. LEXIS 413 (July 3, 2003) and 2003 Ark. App. LEXIS 575 (July 25, 2003).

Federal Supplement through July 25, 2003.

Federal Reporter 3d Series through July 25, 2003.

United States Supreme Court Reports, through July 25, 2003.

Bankruptcy Reporter through July 25, 2003.

Arkansas Law Notes through the 2001 Edition.

Arkansas Law Review through Volume 56, p. 497.

University of Arkansas at Little Rock Law Journal through Volume 25, p. 752.

Titles of the Arkansas Code

- | | |
|---|---|
| 1. General Provisions | 15. Natural Resources and Economic Development |
| 2. Agriculture | 16. Practice, Procedure, and Courts |
| 3. Alcoholic Beverages | 17. Professions, Occupations, and Businesses |
| 4. Business and Commercial Law | 18. Property |
| 5. Criminal Offenses | 19. Public Finance |
| 6. Education | 20. Public Health and Welfare |
| 7. Elections | 21. Public Officers and Employees |
| 8. Environmental Law | 22. Public Property |
| 9. Family Law | 23. Public Utilities and Regulated Industries |
| 10. General Assembly | 24. Retirement and Pensions |
| 11. Labor and Industrial Relations | 25. State Government |
| 12. Law Enforcement, Emergency Management, and Military Affairs | 26. Taxation |
| 13. Libraries, Archives, and Cultural Resources | 27. Transportation |
| 14. Local Government | 28. Wills, Estates, and Fiduciary Relationships |

User's Guide

Differences in language, subsection order, punctuation, and other variations in the statute text from legislative acts, supplement pamphlets, and previous versions of the bound volume, are editorial changes made at the direction of the Arkansas Code Commission pursuant to the authority granted in § 1-2-303.

Many of the Arkansas Code's research aids, as well as its organization and other features, are described in the User's Guide, which appears near the beginning of Volume 1 of the Code.

TITLE 6

EDUCATION

(CHAPTERS 1-17 IN VOLUME 4A; CHAPTERS 18-49 IN
VOLUME 4B)

SUBTITLE 1. GENERAL PROVISIONS

CHAPTER.

1. GENERAL PROVISIONS.
2. CORPORATE CHARTERS.
3. ARKANSAS EDUCATIONAL TELEVISION COMMISSION.
4. INTERSTATE COMPACTS.
5. MISCELLANEOUS PROVISIONS RELATING TO ELEMENTARY, SECONDARY,
AND HIGHER EDUCATION.
- 6-9. [RESERVED.]

SUBTITLE 2. ELEMENTARY AND SECONDARY EDUCATION GENERALLY

CHAPTER.

10. GENERAL PROVISIONS.
11. EDUCATION.
12. COUNTY BOARDS OF EDUCATION.
13. SCHOOL DISTRICTS.
14. SCHOOL ELECTIONS.
15. EDUCATIONAL STANDARDS AND QUALITY GENERALLY.
16. CURRICULUM.
17. PERSONNEL.
18. STUDENTS.
19. TRANSPORTATION.
20. FINANCES.
21. SCHOOL PROPERTY AND SUPPLIES.
22. REGISTERED VOLUNTEERS PROGRAM.
23. CHARTER SCHOOLS.
24. ETHICAL GUIDELINES AND PROHIBITIONS.
25. PUBLIC SCHOOL LIBRARY MEDIA AND TECHNOLOGY ACT.
- 26— 39. [RESERVED.]

SUBTITLE 3. SPECIAL EDUCATIONAL PROGRAMS

CHAPTER.

40. GENERAL PROVISIONS. [RESERVED.]
41. CHILDREN WITH DISABILITIES.
42. GIFTED AND TALENTED CHILDREN.
43. ARKANSAS SCHOOL FOR THE BLIND AND ARKANSAS SCHOOL FOR THE
DEAF.
44. ADULT LITERACY.
45. ARKANSAS BETTER CHANCE PROGRAM.
46. ARKANSAS HIGH TECHNOLOGY TRAINING CENTER.
47. DISTANCE LEARNING.
- 48-49. [RESERVED.]

SUBTITLE 4. VOCATIONAL AND TECHNICAL EDUCATION

CHAPTER.

- 50. GENERAL PROVISIONS.
- 51. VOCATIONAL AND TECHNICAL SCHOOLS.
- 52. VOCATIONAL AND TECHNICAL TRAINING.
- 53. POSTSECONDARY EDUCATION REORGANIZATION ACT.
- 54. OUACHITA TECHNICAL COLLEGE.
- 55. CONSTRUCTION INDUSTRY CRAFT TRAINING.
- 56. ARKANSAS STATE UNIVERSITY-BEEBE.
- 57. ARKANSAS VALLEY TECHNICAL INSTITUTE.
- 58. NATIONAL PARK COMMUNITY COLLEGE.
- 59. ARKANSAS NORTHEASTERN COLLEGE.

SUBTITLE 5. POSTSECONDARY AND HIGHER EDUCATION GENERALLY

CHAPTER.

- 60. GENERAL PROVISIONS.
- 61. POSTSECONDARY INSTITUTIONS GENERALLY.
- 62. PROPERTY AND FINANCES OF STATE INSTITUTIONS.
- 63. EMPLOYEES OF STATE INSTITUTIONS.
- 64. UNIVERSITY OF ARKANSAS.
- 65. AGRICULTURAL COLLEGES.
- 66. HENDERSON STATE UNIVERSITY.
- 67. UNIVERSITY OF CENTRAL ARKANSAS.
- 68. ELECTRONIC INSTRUCTIONAL MATERIAL.
- 69-70. [RESERVED.]
- 71. IMPROVEMENT DISTRICTS FOR COLLEGES AND UNIVERSITIES.
- 72-79. [RESERVED.]

SUBTITLE 6. POSTSECONDARY EDUCATION—FINANCIAL ASSISTANCE PROGRAMS

CHAPTER.

- 80. GENERAL PROVISIONS.
- 81. STUDENT LOANS.
- 82. SCHOLARSHIPS.
- 83. TAX-DEFERRED TUITION SAVINGS PROGRAM. [REPEALED.]
- 84. TAX-DEFERRED TUITION SAVINGS PROGRAM.

A.C.R.C. Notes. Acts 2003, No. 94, §§ 1-4, provided: "SECTION 1. The 84th General Assembly recognizes the mandate of the Arkansas Supreme Court to conduct an adequacy study. The General Assembly also recognizes no one study can fully define what is an adequate, efficient, and equitable education. The General Assembly further recognizes that, while any study performed is an integral component towards satisfying the requirements imposed by the Supreme Court's decision in Lake View, the General Assembly is ultimately responsible for making the final determination of what satisfies the constitutional requirements.

"SECTION 2. (a) There is created a legislative committee to be known as the

'Joint Committee on Educational Adequacy'.

"(b) The committee shall consist of eleven (11) members as follows:

"(1) Five (5) members of the Senate as follows:

"(A) One (1) member who shall be the Chair of the Senate Committee on Education;

"(B) Two (2) members of the Senate Committee on Education to be appointed by the Chair of the Senate Committee on Education; and

"(C) Two (2) members of the Senate to be appointed by the President Pro Tempore of the Senate;

"(2) Five (5) members of the House of Representatives as follows:

“(A) One (1) member who shall be the Chair of the House Committee on Education;

“(B) Two (2) members of the House Committee on Education to be appointed by the Chair of the House Committee on Education; and

“(C) Two (2) members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

“(3) The Director of the Department of Education who shall serve as a nonvoting ex-officio member.

“(c) The Chair of the Senate Committee on Education and the Chair of the House Committee on Education shall serve as co-chairs of the committee.

“(d) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled in the same manner as the original appointment.

“(e)(1) The committee shall meet upon call of either or both of the co-chairs of the committee.

“(2) Six (6) members of the committee shall constitute a quorum for the purpose of transacting business.

“(3) A quorum is required for any action of the committee.

“(f) The committee shall:

“(1) Review the opinion of the Arkansas Supreme Court in the matter of *Lake View School District No. 25 of Phillips County, Arkansas, et al., vs. Governor Mike Huckabee, et al.* issued on November 21, 2002, and use the opinion and other legal precedent cited by the court in the committee’s deliberations;

“(2) Recommend what constitutes an adequate education in Arkansas;

“(3) Recommend a method of providing equality of educational opportunity, which must include as basic components substantially equal curricula, substantially equal teacher salaries, substantially equal facilities, and substantially equal equipment for obtaining an adequate education;

“(4) Recommend the costs of an adequate education for all students in Arkansas, taking into account cost of living variances, diseconomies of scale, transportation variability, demographics, school districts with a disproportionate number of students who are economically disadvantaged or have educational dis-

abilities, and other factors as deemed relevant;

“(5) Recommend the amount of per student expenditure necessary to provide an equal educational opportunity and the amount of state funds to be provided to school districts, based upon the cost of an adequate education as recommended in subdivision (f)(4) of this section, and a method of monitoring the expenditures and distributing the state funds; and

“(6) Recommend a system or method to assess, evaluate, and monitor the entire spectrum of public education across the state to determine whether equal educational opportunity for an adequate education is being substantially afforded to Arkansas’ school children.

“(g)(1)(A) The committee shall report its findings and recommendations to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor no later than July 1, 2003.

“(B) Upon motion of the committee and approval by a quorum of the committee, the July 1, 2003 report date may be extended for a period not to exceed sixty (60) days.

“(2) The report shall include for each recommendation, proposed implementation schedules with timelines, specific steps, agencies and persons responsible, and resources needed.

“(3) Where feasible, all plans, measures, and initiatives shall be proposed as recommendations for legislation or regulation.

“(h) The Department of Education, the Department of Workforce Education, and the Department of Higher Education shall provide the committee with assistance as requested by the committee.

“(i) The Attorney General is requested to provide assistance to the committee as needed.

“(j)(1) The committee may hire or contract with individuals or entities, both within the state or from out-of-state, for the purpose of obtaining staff or otherwise performing the duties of the committee to the extent funding is appropriated and available for that purpose.

“(2) The Bureau of Legislative Research of the Legislative Council shall furnish reasonable staff assistance to the committee as may be requested by the committee.

“(k)(1) The committee may function during the interim between regular or special

sessions of the General Assembly, while the General Assembly is in session, and while the General Assembly is in recess.

“(2) If the committee meets at a time when the General Assembly is not in session, the legislative members of the committee shall be entitled to per diem and mileage reimbursement at the rate as for attending meetings of the Legislative Council and the per diem or mileage reimbursement shall be paid from funds appropriated for the payment of per diem and mileage for attendance at meetings of interim committees of the House of Representatives and Senate.

“SECTION 3. This act shall expire on December 31, 2003.

“SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Supreme Court has ruled that the current system of education in Arkansas is inadequate and inequitable,

and has instructed the General Assembly to define what is necessary to provide an adequate and equitable education for the children of Arkansas-forthwith. A committee must be formed to determine what constitutes an adequate education in Arkansas in sufficient time for the General Assembly to take action before the termination of the court's stay. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

“(1) The date of its approval by the Governor;

“(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

“(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

SUBTITLE 4. VOCATIONAL AND TECHNICAL EDUCATION

CHAPTER 50

GENERAL PROVISIONS

SUBCHAPTER

1. GENERAL PROVISIONS.
2. TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM.
3. ADVISORY COUNCIL FOR VOCATIONAL-TECHNICAL EDUCATION. [REPEALED.]
4. VOCATIONAL-TECHNICAL HIGH SCHOOL DISTRICTS. [REPEALED.]
5. YOUTH APPRENTICESHIP/WORK-BASED LEARNING ACT.
6. ARKANSAS ADVISORY COUNCIL FOR VOCATIONAL-TECHNICAL EDUCATION. [REPEALED.]
7. ARKANSAS EXISTING WORKFORCE TRAINING ACT OF 1995.

A.C.R.C. Notes. Acts 1995, No. 1199, § 35, provided: “All funds that become available for Adult Education shall first be distributed to those administrative units determined to be operating efficient and effective adult education programs, under criteria established by the State Board of Vocational Education and shall be at the same level as expended by each unit in the most recent fiscal year for which there is complete data (hereafter referred to as base funding). The criteria shall include the relative efficiency of administration of the program in the counties served. For

the purposes of this Section, the term “literacy rate” shall be determined by the number of adults completing less than the twelfth grade as reported by the most recent decennial federal census. Except for special projects, 50% of the remaining monies shall be distributed based upon the literacy rate per county and 50% shall be distributed on the basis of the performance outcomes for the previous year, as established by the State Board of Vocational Education. Of the funds distributed based on literacy rate, no administrative unit shall receive funds for any county

served above that county's literacy rate cap except for base funds received by efficient and effective units. Local administrative costs shall not exceed 10% of the total allocation. Unallocated funds will be redistributed based upon need as determined by the State Board of Vocational Education. Further, the State Board of Vocational Education shall give first consideration and priority in the distribution of monies set aside for special projects to counties receiving less funding by the formula."

Acts 1999, No. 1400, § 29, provided: "All funds that become available for Adult Education shall first be distributed to those administrative units determined to be operating efficient and effective adult education programs, under criteria established by the State Board of Workforce Education and Career Opportunities and shall be at the same level as expended by each unit in the base level year (hereafter referred to as base funding). The criteria shall include the relative efficiency of administration of the program in the counties served. For the purposes of this Section, the term 'literacy rate' shall be

determined by the number of adults completing less than the twelfth grade as reported by the most recent decennial federal census. Except for special projects, 50% of the remaining monies shall be distributed based upon the literacy rate per county and 50% shall be distributed on the basis of the performance outcomes for the previous year, as established by the State Board of Workforce Education and Career Opportunities. Of the funds distributed based on literacy rate, no administrative unit shall receive funds for any county served above that county's literacy rate cap except for base funds received by efficient and effective units. Local administrative costs shall not exceed 10% of the total allocation. Unallocated funds will be redistributed based upon need as determined by the State Board of Workforce Education and Career Opportunities. Further, the State Board of Workforce Education and Career Opportunities shall give first consideration and priority in the distribution of monies set aside for special projects to counties receiving less funding by the formula."

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-50-101. Contracts with private organizations.

6-50-102. Training workers in existing industries.

SECTION.

6-50-103. Participation in vocational student organizations.

Effective Dates. Acts 1985, No. 282, § 2: Mar. 7, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to provide training necessary to encourage industrial and economic development of the State through upgrade training of workers in existing industries. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect following passage and approval."

Acts 1985, No. 461, § 2: Mar. 21, 1985. Emergency clause provided: "It is hereby found and determined by the General As-

sembly that there is an urgent need to provide training necessary to encourage industrial and economic development of the State through upgrade training of workers in existing industries. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect following passage and approval."

Acts 1989 (1st Ex. Sess.), No. 127, § 47: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the

effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.”

Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: “It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the popula-

tion in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

6-50-101. Contracts with private organizations.

The Director of the Department of Workforce Education is hereby authorized to enter into contracts with private organizations licensed by the State Board of Workforce Education and Career Opportunities in order to provide vocational-technical training to citizens of the State of Arkansas.

History. Acts 1989 (1st Ex. Sess.), No. 127, § 27; 1999, No. 1323, § 28.

A.C.R.C. Notes. Former § 6-50-101, concerning contracts with private organizations, is deemed to be superseded by this section. The former section was derived from Acts 1987, No. 1058, § 30. A similar provision which was also codified as § 6-50-101, and was previously superseded, was derived from Acts 1985, No. 773, § 26. As to the Technical Education

Enhancement Study Committee, see Acts 1989, No. 635.

Amendments. The 1999 amendment substituted “Director of the Department of Workforce Education” for “Director of the Vocational and Technical Education Division,” substituted “State Board of Workforce Education and Career Opportunities” for “State Board of Education,” and made minor punctuation changes.

6-50-102. Training workers in existing industries.

(a) The role and function of the Arkansas Industry Training Program of the Arkansas Economic Development Commission and the Department of Economic Development is expanded to authorize the program to provide training of workers in existing industries as well as in new and expanding businesses and industries.

(b) Such training may be for:

(1) Upgrading skills and abilities of workers to operate modern, more sophisticated equipment;

(2) Providing workers with skills needed for initiating more modern processes and using more sophisticated materials; and

(3) Other situations which create a technical-upgrade training need of employees.

(c) The resources provided shall not be used to address worker training needs caused by turnover and normal attrition.

(d) The commission shall cooperate with the Arkansas Higher Education Coordinating Board in the operation of this program.

History. Acts 1985, No. 282, § 1; 1985, No. 461, § 1; 1991, No. 1244, § 31; 1997, No. 540, §§ 4, 5.

6-50-103. Participation in vocational student organizations.

(a)(1) The Department of Workforce Education may reimburse secondary vocational centers and other public schools in Arkansas for dues, membership fees, supplies, travel, lodging and other expenses related to a student's participation in vocational student organizations.

(2) The amount allowed pursuant to this section shall be thirty-five dollars (\$35.00) per student as documented by national and state membership records.

(3) The department may disburse funds after the final cut-off date for membership enrollments.

(b) The department shall promulgate rules and regulations necessary for the implementation of this section.

(c) The provisions of this section shall be contingent on the appropriation and funding necessary to allow the department to carry out the duties assigned to it in this section.

History. Acts 1999, No. 1159, § 1.

SUBCHAPTER 2 — TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM

SECTION.

6-50-201. Creation.

6-50-202. Purpose.

6-50-203. Administration.

6-50-204. Institutional eligibility.

6-50-205. Educational program approval and priorities.

SECTION.

6-50-206. Student eligibility — Initial certification of eligibility.

6-50-207. Amount of loan forgiveness.

6-50-208. Repayment of loans — Failure to repay.

Publisher's Notes. Former subchapter 2, concerning the Technical Education Review Commission, was repealed by Acts 1989, No. 536, § 9. The subchapter was derived from the following sources:

6-50-201. Acts 1983, No. 447, § 7; A.S.A. 1947, § 80-5707.

6-50-202. Acts 1983, No. 447, § 1; A.S.A. 1947, § 80-5701.

6-50-203. Acts 1983, No. 447, § 2;

A.S.A. 1947, § 80-5702.

6-50-204. Acts 1983, No. 447, § 3;

A.S.A. 1947, § 80-5703.

6-50-205. Acts 1983, No. 447, § 4;

A.S.A. 1947, § 80-5704.

6-50-206. Acts 1983, No. 447, § 5;

A.S.A. 1947, § 80-5705.

6-50-207. Acts 1983, No. 447, § 6;

A.S.A. 1947, § 80-5706.

Effective Dates. Acts 1999, No. 652, § 12: Mar. 16, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly that there is a continuing and pressing need for skilled technical workers by business and industry in Arkansas which makes it necessary to establish this Arkansas Technical Careers Student Loan Forgiveness Program to aid persons desiring to enter an educational program that will prepare them for such work. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become

effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 1160, § 3: Apr. 8, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that there is a continuing and pressing need for skilled technical workers by business and industry in Arkansas which makes it necessary to establish this Arkansas Technical Careers Student Loan Forgiveness Program to aid persons desiring to enter an educational program. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-50-201. Creation.

(a) There is hereby established a program to be known as the Arkansas Technical Careers Student Loan Forgiveness Program, to be administered by the State Board of Workforce Education and Career Opportunities through the Department of Workforce Education.

(b) Establishment of the program and implementation of the provisions of this subchapter shall be contingent on the appropriation and funding necessary to allow the board to carry out the duties assigned to it in this subchapter.

History. Acts 1999, No. 652, § 1.

6-50-202. Purpose.

Arkansas is experiencing an increasing demand for a work force qualified in various technical occupations. The purpose of this subchapter is to establish a loan forgiveness program to assist and encourage people in entering and completing programs which qualify them to fill the demand for employees in various technical fields. The program will provide repayment for students admitted to high-demand technical training programs. Their loans shall be forgiven if the recipients work

in a high-demand technical occupation in Arkansas and satisfy other requirements as set out in this subchapter.

History. Acts 1999, No. 652, § 2.

6-50-203. Administration.

The State Board of Workforce Education and Career Opportunities through the Department of Workforce Education shall administer the Arkansas Technical Careers Student Loan Forgiveness Program and shall have the following authority with respect to the program:

(1) To adopt rules and regulations for the administration of the program consistent with the provisions of this subchapter;

(2) To establish and consult with an advisory panel that is representative of agencies and entities involved in the economic development of Arkansas, including business and industry;

(3) To contract with an experienced third party, the Arkansas Student Loan Authority, or another qualified agency for the administration of this loan forgiveness program; and

(4) To prepare application forms or such other forms as the board shall deem necessary to properly administer and carry out the purpose of this subchapter.

History. Acts 1999, No. 652, § 3.

6-50-204. Institutional eligibility.

The institution to be attended under the loan forgiveness program must be approved by the State Board of Workforce Education and Career Opportunities, the Arkansas Higher Education Coordinating Board, or the State Board of Private Career Education to offer training in the technical field chosen by the applicant.

History. Acts 1999, No. 652, § 4; 2003, No. 1160, § 1. inserted "the State Board of Private Career Education" and made a related change.

Amendments. The 2003 amendment

6-50-205. Educational program approval and priorities.

(a) The State Board of Workforce Education and Career Opportunities shall consider comments and suggestions from the Department of Higher Education, the Arkansas Higher Education Coordinating Board, the Arkansas Economic Development Commission, the Arkansas Employment Security Department, the Arkansas State Chamber of Commerce, and other appropriate entities to annually develop and publish a list of technical education programs that are approved for this program.

(b)(1)(A) The board may consider the state, regional, and local area priorities when determining the technical programs that are approved.

(B) However, for the 1999-2000 fiscal year only state priorities shall be considered.

(2) Beginning in the 2000-2001 fiscal year, the board may solicit proposals or requests from the state's postsecondary institutions, chambers of commerce, business and industry, and other appropriate local entities for regional and local priorities when determining the approved technical programs for this program.

History. Acts 1999, No. 652, § 5.

6-50-206. Student eligibility — Initial certification of eligibility.

(a) The State Board of Workforce Education and Career Opportunities shall certify eligibility for persons who meet the following conditions:

(1) Are citizens of the United States or permanent resident aliens;

(2) Are admitted to an approved program resulting in a diploma, certificate, or degree in a high-demand technical field;

(3) Have a grade point average as required in the rules and regulations for administration of this loan forgiveness program for the specified technical field; and

(4) Indicate an intention to work in Arkansas in the high-demand technical field for which they receive the training.

(b) Students must apply for the loan forgiveness program and be selected by a process administered by the board.

History. Acts 1999, No. 652, § 6; 2003, No. 1160, § 2. deleted "residents of the State of Arkansas and" following "Are" in (a)(1).

Amendments. The 2003 amendment

6-50-207. Amount of loan forgiveness.

(a) The yearly amount for each student's loan forgiveness shall not exceed the maximum yearly amount allowed under the Arkansas Academic Challenge Scholarship Program.

(b) Eligible students may participate in the loan forgiveness program for a maximum of four (4) years or its equivalent as determined by rules and regulations.

(c) The State Board of Workforce Education and Career Opportunities shall establish through rules and regulations, with input from the Department of Higher Education and other appropriate entities, loan forgiveness amounts for approved technical education programs for students enrolled on a less than full-time basis.

History. Acts 1999, No. 652, § 7.

6-50-208. Repayment of loans — Failure to repay.

(a)(1) After graduation from the approved technical program, loan recipients who work for one (1) year on a full-time basis in Arkansas in the high-demand technical field for which the educational program

prepared them shall upon annual certification by their employer be forgiven one (1) year of the eligible loan amount, or its equivalent for persons who enrolled in an educational program on a less than regular full-time basis.

(2) Each succeeding year of loan forgiveness is contingent upon one (1) additional year of certified full-time employment in Arkansas in the technical field.

(b) Loan recipients who do not graduate from the program or who do not work full time in the high-demand technical field in the State of Arkansas for which they received training shall repay the loan in accordance with the loan recipient's agreement with the lending authority.

History. Acts 1999, No. 652, § 8.

SUBCHAPTER 3 — ADVISORY COUNCIL FOR VOCATIONAL-TECHNICAL EDUCATION

SECTION.

6-50-301 — 6-50-305. [Repealed.]

Publisher's Notes. Acts 1991, No. 1244, § 33, in part, abolished the Arkansas Advisory Council for Vocational-Technical Education. Section 33 further provided that "all records, property, unexpended balances of appropriations, allocations or other funds of the Arkansas Advisory Council for Vocational-Technical Education are hereby transferred to the Office of the Governor. The Governor shall reconstitute an advisory group as re-

quired by the Carl D. Perkins Vocational/ Applied Technology Education Act of 1990 to advise the State Board of Vocational Education and the State Board of Higher Education concerning use of federal funding for vocational-technical education. Any such advisory group shall contain representatives knowledgeable in business, industry, labor or economic development communities of this state."

6-50-301 — 6-50-305. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1991, No. 1244, § 33. The subchapter was derived from the following sources:

6-50-301. Acts 1985, No. 330, § 1; A.S.A. 1947, § 80-2592.

6-50-302. Acts 1985, No. 330, § 2; A.S.A. 1947, § 80-2592.1.

6-50-303. Acts 1985, No. 330, § 3; A.S.A. 1947, § 80-2592.2.

6-50-304. Acts 1985, No. 330, § 4; A.S.A. 1947, § 80-2592.3.

6-50-305. Acts 1985, No. 330, § 5; A.S.A. 1947, § 80-2592.4.

SUBCHAPTER 4 — VOCATIONAL-TECHNICAL HIGH SCHOOL DISTRICTS

SECTION.

6-50-401 — 6-50-407. [Repealed.]

6-50-401 — 6-50-407. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1993, No. 294, § 17. The subchapter was derived from the following sources:

6-50-401. Acts 1969, No. 323, § 1; A.S.A. 1947, § 80-460.

6-50-402. Acts 1969, No. 323, § 2; A.S.A. 1947, § 80-461.

6-50-403. Acts 1969, No. 323, § 3; A.S.A. 1947, § 80-462.

6-50-404. Acts 1969, No. 323, § 4; A.S.A. 1947, § 80-463.

6-50-405. Acts 1969, No. 323, § 3; A.S.A. 1947, § 80-463.

6-50-406. Acts 1969, No. 323, § 3; A.S.A. 1947, § 80-463.

6-50-407. Acts 1969, No. 323, § 4; A.S.A. 1947, § 80-463.

SUBCHAPTER 5 — YOUTH APPRENTICESHIP/WORK-BASED LEARNING ACT**SECTION.**

6-50-501. Title.

6-50-502. Legislative findings.

6-50-503. Establishment of program.

6-50-504. Demonstration programs.

6-50-505. Waiver of regulations — Artic-

ulation agreements — Duties of State Board of Workforce Education and Career Opportunities.

Effective Dates. Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years of education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an

emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 1246, § 17: Apr. 18, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

6-50-501. Title.

This subchapter may be cited as the “Arkansas Youth Apprenticeship/Work-Based Learning Act of 1991”.

History. Acts 1991, No. 546, § 1; 1991, No. 553, § 1.

6-50-502. Legislative findings.

Whereas workplace changes have profoundly altered and increased the skills required of workers and managers; and

Whereas schools are struggling to improve the basic skills of the school age population drawn increasingly from “at risk” households where children tend to leave school early; and

Whereas many noncollege-bound youth, especially women and minorities, spend their first years after high school unemployed or job-hopping from one low-skills job to another, with a consequent loss in productivity and access to career-oriented learning; and

Whereas most new jobs that will be created in the 1990’s will require some postsecondary education; and

Whereas the economic position of “The Forgotten Half” — noncollege-bound high school graduates — is deteriorating, with real earnings declining by twenty-eight percent (28%) from 1973 to 1986, while the earnings of college graduates have risen; and

Whereas most employers in the United States lack a tradition of strong employee training;

Now, therefore, the State of Arkansas has determined that the establishment of a youth apprenticeship program can contribute significantly to addressing these problems by providing Arkansas’ noncollege-bound young people with additional opportunities to develop meaningful job skills.

History. Acts 1991, No. 546, § 1; 1991, No. 553, § 1.

6-50-503. Establishment of program.

(a) The Department of Workforce Education is hereby authorized and directed to develop and implement a youth apprenticeship/work-based learning program to provide additional educational and training opportunities for noncollege-bound Arkansas high school students.

(b) The program should be based on the following fundamental principles:

- (1) Strong employer commitment and involvement;
- (2) Taking young people at the end of the tenth grade through a three-year to four-year process connecting high school and the first year or two (2) of postsecondary learning;
- (3) Providing high-quality supervised learning opportunities for students at the work site;

- (4) Integrating academic and vocational teaching and learning in the classroom and at work;
- (5) Fostering interactive, teambased learning in the classroom;
- (6) Including curriculum on all aspects of the industry;
- (7) Using competency-based measures for evaluating student progress;
- (8) Providing both academic and occupational credentials;
- (9) Providing access and supports to nontraditional groups; and
- (10) Explicitly addressing issues presented by diversity in society and the workplace.

(c) The industries and occupations selected for this program must offer entry-level jobs with good opportunities for career advancement into high-skill, high-wage jobs. The department, the State Apprenticeship Coordination Steering Committee, and local sites will take joint responsibility for identifying these industries and occupations. The State Apprenticeship Coordination Steering Committee will take responsibility for identifying traditional apprenticeship programs that are currently in place.

History. Acts 1991, No. 546, § 1; 1991, No. 553, § 1.

6-50-504. Demonstration programs.

(a) The Department of Workforce Education shall implement during the 1991-1993 biennium at least five (5) demonstration youth apprenticeship programs.

(b) In designing and implementing these programs, the department shall require the selected demonstration projects to make a five-year commitment to the program's effective implementation and to match state funding with commitments from local participants, including employers and unions, high schools, technical institutes or vocational-technical schools, community colleges, technical colleges, and other appropriate entities.

(c) State funding for the demonstration projects shall be from funds appropriated by the General Assembly to the department for that purpose.

(d) The State Board of Workforce Education and Career Opportunities shall be the sole state agency to award funding for the demonstration youth apprenticeship programs established and authorized by this subchapter.

History. Acts 1991, No. 546, § 1; 1991, No. 553, § 1; 1991, No. 1244, § 28; 1991, No. 1246, § 3; 1999, No. 1323, § 30.

A.C.R.C. Notes. Acts 1991, No. 1244, § 28, which was subsequently superseded by Acts 1991, No. 1246, § 3, provided: "The State Board of Vocational Education shall remain the sole state agency pursuant to A.C.A. § 6-11-106 designated to

receive and administer any and all federal funds made available to this state for the purpose of assisting the state or school districts in providing for the extension of vocational and adult education. The State Board of Vocational Education shall transfer to the State Board of Higher Education a proportionate share of those federal vocational and adult education funds that is

at least equal to the proportionate share of such funds expended in 1990-91 by those institutions being transferred by this act to the jurisdiction of the State Board of Higher Education and by those community colleges which received such funds. A proportionate share of those federal vocational and adult education funds appropriated for planning, evaluation, program improvement and other administrative and discretionary purposes shall be placed under the jurisdiction and control of the State Board of Higher Education."

Acts 1991, No. 1246, § 3, which added (d), also provided: "[a] Notwithstanding the provisions of any other act passed by the Seventy Eighth General Assembly, and specifically the provisions of Section 28 of the Act which was enacted from SB 357, as engrossed on 2/28/91, the state Board of Vocational Education shall remain the sole state agency to administer any and all state and federal adult education funds. The State Board of Vocational

Education shall distribute federal adult education funds to participating institutions under the effective and efficient funding formula as established by the State Board of Vocational Education.

"(b) It is the specific intent of the General Assembly that the provisions of Section 28 of the Act which was enacted from SB 357, as engrossed 2/28/91, pertaining to the administration and funding of adult education programs are superseded by the provisions of this Section.

"(c) ... The authority of the State Board of Higher Education to participate jointly in such funding determinations is hereby rescinded and superseded."

Amendments. The 1999 amendment, in (b), substituted "implementing these programs" for "implementing such programs," substituted "department" for "division," and inserted "technical institutes or" preceding "vocational-technical schools"; and made stylistic changes.

6-50-505. Waiver of regulations — Articulation agreements — Duties of State Board of Workforce Education and Career Opportunities.

(a) The State Board of Workforce Education and Career Opportunities may provide waivers of regulations adopted by the Department of Workforce Education when waivers are necessary to accomplish the purposes of this subchapter so long as the waivers will not weaken the quality of the educational opportunities provided.

(b)(1) The department shall also take the lead role in seeking the establishment of articulation agreements between high schools, technical institutes or vocational-technical schools, and institutions of higher education, with a goal of eliminating barriers to lifelong learning.

(2) The resulting articulation agreements will need to be approved by the appropriate local and state boards of the participating school districts, postsecondary technical institutes or vocational-technical schools, and institutions of higher education.

(c) The board is authorized to promulgate rules and regulations for the implementation of the program established by this subchapter.

History. Acts 1991, No. 546, § 1; 1991, No. 553, § 1; 1999, No. 1323, § 31.

Amendments. The 1999 amendment, in (a), substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Education," "Department of Workforce Education" for

"Vocational and Technical Education Division," "when waivers are" for "when such waivers are," and "so long as the waivers" for "so long as such waivers"; substituted "department" for "Vocational and Technical Education Division" in (b)(1); inserted "technical institutes or" in (b)(1) and

(b)(2); substituted “board” for “State Board of Vocational Education” in (c); and made stylistic changes.

SUBCHAPTER 6 — ARKANSAS ADVISORY COUNCIL FOR VOCATIONAL-TECHNICAL EDUCATION

SECTION.

6-50-601 — 6-50-605. [Repealed.]

6-50-601 — 6-50-605. [Repealed.]

Publisher’s Notes. This subchapter was repealed by Acts 1999, No. 1323, § 29. The subchapter was derived from the following sources:

6-50-601. Acts 1995, No. 492, § 1; 1997, No. 540, § 6.

6-50-602. Acts 1995, No. 492, § 2.

6-50-603. Acts 1995, No. 492, §§ 2, 4.

6-50-604. Acts 1995, No. 492, § 3.

6-50-605. Acts 1995, No. 492, § 5; 1997, No. 250, § 23.

SUBCHAPTER 7 — ARKANSAS EXISTING WORKFORCE TRAINING ACT OF 1995

SECTION.

6-50-701. Title.

6-50-702. Definitions.

6-50-703. Arkansas Existing Workforce Training Program — Creation — Purpose.

SECTION.

6-50-704. Rules and regulations for program.

6-50-705. Uses for grant funds or tax credits.

A.C.R.C. Notes. Acts 2003, No. 1309, § 34, provided: “ADULT EDUCATION DISTRIBUTION. All funds that become available for Adult Education shall first be distributed to those administrative units determined to be operating efficient and effective adult education programs, under criteria established by the State Board of Workforce Education and Career Opportunities. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of federal performance indicators. The State Board of Workforce Education and Career Opportunities shall promulgate rules and regulation for the distribution of funds in accordance with criteria to be determined by the Board. In the distribution of funds to local units the Board shall consider the literacy rate in each county and performance in meeting state and federal performance indicators. For the purposes of this Section, the term ‘literacy rate’ shall be determined by the number of adults completing less than the twelfth grade as reported by the most recent decennial federal census. Unallo-

cated funds will be redistributed based upon need as determined by the State Board of Workforce Education and Career Opportunities. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Effective Dates. Acts 1995, No. 791, § 9: Mar. 24, 1995. Emergency clause provided: “It is hereby found and determined by the General Assembly of the State of Arkansas that the training needs of the existing and future workforce of this state is critical to economic development and expansion of job opportunities and that any delay in the effective date of this act could work irreparable harm upon the proper administration and provision of such training and to the agencies charged with implementation of this Act. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval.”

Acts 1999, No. 1134, § 8: Apr. 6, 1999. Emergency clause provided: “It is hereby

found and determined by the Eighty-second General Assembly that the training needs of the existing and future workforce of this state is critical to economic development and expansion of job opportunities; that the availability of training opportunities must coincide with the availability of training funds to prevent a period where our workforce does not have this training available; and that any delay in the effective date of this act could work irreparable harm upon the proper administration and provision of such training and to the agencies charged with imple-

mentation of this act. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-50-701. Title.

This subchapter may be referred to and cited as the "Arkansas Existing Workforce Training Act of 1995".

History. Acts 1995, No. 791, § 1.

6-50-702. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Basic skills training" means those math, reading, English, listening, oral and written communication, and computer literacy skills that a person can reasonably be expected to have attained by the end of the twelfth grade;

(2) "Classroom training" means instructor-led training that is provided outside the process of the production of goods or the delivery of a service;

(3) "Company" means an entity currently operating in the state that has filed a corporate income tax return for the year prior to the year in which the application was submitted and that is classified in one (1) of the following ways:

(A) Manufacturers classified in North American Industry Classification System codes 31-33, as in effect January 1, 2003, including semiconductor and microelectronic manufacturers;

(B)(i) Computer firms primarily engaged in providing computer programming services; the design and development of or in designing and developing prepackaged software; businesses engaged in digital content production; computer processing and data preparation services; information retrieval services; computer and data processing consultants and developers.

(ii) All firms in this group must derive at least seventy-five percent (75%) of their revenue from out-of-state sales and not be engaged in retail sales to the general public; or

(C) Firms primarily engaged in commercial physical and biological research, North American Industry Classification System code 541710, as in effect January 1, 2003;

(4)(A) "Consortium" means a group of companies that includes at least three (3) eligible companies as defined in subdivision (3) of this section and which for fiscal purposes is either a private, not-for-profit corporation or an organized group that has a coordinating board or committee and a mission statement, that has or is in the process of developing bylaws, and that is establishing a bank account requiring at least two (2) consortium members' signatures.

(B) Consortia may have members that are not eligible companies so long as at least three (3) of the consortium member companies are eligible companies.

(C) Fifty percent (50%) of the eligible participants completing each course must be employees of eligible companies;

(5) "Eligible recipient" means a full-time permanent employee of an Arkansas company or consortium who is subject to the Arkansas personal income tax;

(6) "Full-time instructor or trainer" means a person who works a minimum of thirty (30) hours per week on at least a nine-month contract and has the normal fringe benefit package available to any employee the institution considers to be a full-time employee;

(7) "Governing council" means the directors or their designees of the Department of Economic Development, the Department of Higher Education, and the Department of Workforce Education;

(8) "Internal training" means classroom training provided to company employees by company trainers who may be either full-time employees of the company or consultants paid by the company; and

(9)(A) "State-supported educational institution" means a secondary or postsecondary Arkansas educational institution that receives the majority of its funding from state or local tax revenues.

(B) However, for purposes of this subchapter, Texarkana College may be considered a state-supported educational institution for the purpose of delivering training services to eligible companies located in Miller County, if Texarkana College continues to waive out-of-state tuition for residents of Arkansas.

History. Acts 1995, No. 791, § 2; 1997, No. 540, § 7; 1999, No. 1134, § 1; 2003, No. 609, § 1.

Amendments. The 1999 amendment rearranged the existing definitions in alphabetical order; inserted (2) and (4); rewrote (3); in present (6), substituted "Department of Economic Development" for "Economic Development Commission" and "Department of Workforce Education" for "Vocational and Technical Education Division of the Department of Education"; added (7) and (8); and made stylistic changes.

The 2003 amendment substituted "North American Industry Classification System codes 31-33, as in effect January

1, 2003" for "Standard Industrial Classification codes 20-39" in (3)(A); substituted "seventy-five percent (75%)" for "sixty percent (60%)" in (3)(B)(ii); substituted "North American Industry Classification System code 541710, as in effect January 1, 2003" for "Standard Industrial Classification 8731" in (3)(C); redesignated former (4) as present (4)(A) and (4)(B), and added (4)(C); added present (6) and redesignated the remaining subdivisions accordingly; redesignated present (9) as (9)(A) and (B); and made stylistic changes throughout.

U.S. Code. The Standard Industrial Classification code, referred to in this section, was replaced by the North American

Industry Classification System, effective October 1, 2000. See 13 C.F.R. 121.101 et seq. for present standards.

6-50-703. Arkansas Existing Workforce Training Program — Creation — Purpose.

(a) There is hereby created the Arkansas Existing Workforce Training Program, to be administered by a governing council composed of equal representation from the Department of Higher Education, the Department of Workforce Education, and the Department of Economic Development.

(b) The primary purpose of the program shall be to provide financial assistance to Arkansas business and industry for upgrading the knowledge and skills of the existing work force and to increase the capacity of state-supported educational institutions to supply the ongoing training needs of Arkansas companies.

(c)(1)(A) When an eligible company uses a state-supported educational institution to provide its classroom training, financial support can either be in the form of a direct grant or in the form of an income tax credit.

(B) Companies that elect to receive a grant cannot claim a tax credit for the same purpose.

(2) When an eligible company is conducting internal training using company trainers or consultants, financial support can only be in the form of an income tax credit.

(3) When an eligible consortium uses a state-supported educational institution to provide its classroom training, financial support can only be in the form of a grant.

History. Acts 1995, No. 791, § 3; 1997, No. 540, § 8; 1999, No. 1134, § 2.

Amendments. The 1999 amendment, in (a), substituted "Department of Workforce Education" for "Vocational and Technical Education Division of the Department of Education" and "Department of

Economic Development" for "Economic Development Commission"; deleted former (b)(2); in present (b), inserted "knowledge and" following "upgrading the" and added the language beginning "and to increase the capacity"; added (c); and made stylistic changes.

6-50-704. Rules and regulations for program.

(a) The Department of Economic Development shall promulgate rules and regulations in accord with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., for implementation of this subchapter by the department.

(b) Rules and regulations shall include, but not be limited to, the following:

(1) Training shall be conducted for the purpose of meeting specific business goals and performance objectives;

(2) As part of the application process, a company or consortium shall be responsible for determining that participants involved in the training program possess the appropriate prerequisite literacy skills;

(3)(A) The amount of financial support a company or consortium receives shall be determined by the department, approved by the governing council, and set forth in writing prior to any funds' being committed and distributed or prior to any tax credits' being approved.

(B) For companies or consortia that use state-supported educational institutions to deliver classroom training to their employees, the amount of support shall be the lesser of:

(i) One-half ($\frac{1}{2}$) of the amount paid by the company to the state-supported educational institution for the training;

(ii)(a) The instructional hour rate established by the governing council, not to exceed sixty dollars (\$60.00) per instructional hour, times the number of instructional hours delivered by a full-time instructor or trainer with fifty percent (50%) or more of the eligible participants completing the course.

(b) For companies that use company employees or company-paid consultants to deliver classroom training to their employees, the amount of the tax credit shall not be more than fifteen dollars (\$15.00) per instructional hour.

(c) The minimum class size needed to receive full benefits is five (5) trainees. For classes smaller than five (5), the amount of support will be reduced proportionally;

(iii) The instructional hour rate established by the governing council, not to exceed fifty dollars (\$50.00) per instructional hour, times the number of instructional hours by adjunct or part-time instructors or trainers with fifty percent (50%) or more of the eligible participants completing each course;

(iv) The instructional hour rate established by the governing council, not to exceed thirty-five dollars (\$35.00) per instructional hour, times the number of instructional hours for safety-related training; or

(v) The instructional hour rate established by the governing council, not to exceed thirty-five dollars (\$35.00) per instructional hour, times the number of instructional hours for all courses with less than fifty percent (50%) of the eligible participants completing each course;

(4) Training delivered by means other than traditional classroom training may be considered by the governing council. For approved training delivered by means other than traditional classroom training, a flat rate of reimbursement will be established by the governing council;

(5) Applications for tax credits afforded by this subchapter shall be available on and after January 1, 2000;

(6) The maximum amount of total tax credits allowed by the department pursuant to this subchapter shall not exceed four hundred fifty thousand dollars (\$450,000) per year;

(7) Neither grant funds nor tax credits shall be used to support any training, including remedial basic skills training, that is authorized under any other state or federal program; and

(8) Neither grant funds nor tax credits shall be used to support any training that is mandated by any state or federal law or regulation without a unanimous vote of the governing council.

History. Acts 1995, No. 791, § 4; 1997, No. 540, § 9; 1999, No. 1134, § 3; 2003, No. 609, § 2.

Amendments. The 1999 amendment rewrote this section.

The 2003 amendment, in (3)(B)(ii)(a),

substituted “sixty dollars (\$60.00)” for “fifty dollars (\$50.00)” and added “by a full-time instructor ...completing the course” at the end; added (3)(B)(iii), (3)(B)(iv), and (3)(B)(v); and made minor stylistic changes.

6-50-705. Uses for grant funds or tax credits.

(a) The Arkansas Existing Workforce Training Program shall provide matching funds or approve income tax credits to eligible companies or consortia at a rate to be determined by the governing council.

(b) Matching funds may be provided to state-supported educational institutions to upgrade the skills of regular or adjunct faculty if approved by the governing council. Matching funds to upgrade faculty skills will only be granted when there is a documented demand for training in the area served by the educational institution and when there is no faculty member who can provide the needed training.

History. Acts 1995, No. 791, § 5; 1999, No. 1134, § 4.

Amendments. The 1999 amendment rewrote this section.

CHAPTER 51

VOCATIONAL AND TECHNICAL SCHOOLS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. ESTABLISHMENT AND ADMINISTRATION GENERALLY.
3. MULTIDISTRICT VOCATIONAL CENTERS.
4. PLUMBING PROGRAM.
5. HOUSING CONSTRUCTION PROGRAM.
6. PRIVATE RESIDENT AND CORRESPONDENCE SCHOOLS.
7. ASSOCIATE OF APPLIED SCIENCE DEGREE IN NURSING PROGRAM.
8. COMMUNITY-BASED EDUCATION CENTERS.
9. POSTSECONDARY VOCATIONAL AND TECHNICAL EDUCATION.
10. MODEL VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER ACT OF 1993. [REPEALED.]

A.C.R.C. Notes. References to “this chapter” in subchapters 1-5, 7-10 and §§ 6-51-601 — 6-51-622 may not apply to

§ 6-51-623, which was enacted subsequently.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-51-101. Vehicle registration — Tax and fee exemptions.

6-51-102. Eye protection.

6-51-103. Required admission for certain students.

SECTION.

6-51-104. Priorities.

6-51-105. Priorities — Vocational-technical institutions.

Effective Dates. Acts 1965, No. 48, § 4: effective at beginning of 1965-66 school year.

Acts 1981, No. 732, § 11: July 1, 1981. Emergency clause provided: "It is hereby found and determined by the Seventy-Third General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1981 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1981 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1981."

Acts 1991, No. 1192, § 57: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided,

and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1997, No. 1347, § 57: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-51-101. Vehicle registration — Tax and fee exemptions.

(a) All motor vehicles owned and operated by publicly financed vocational-technical schools, technical colleges, and community colleges in the state and used exclusively for training purposes shall be exempt from:

- (1) State, county, and municipal taxes; and
- (2) All vehicle registration fees.

(b)(1) Each publicly supported vocational-technical school, technical college, and community college in the state now owning or hereafter acquiring one (1) or more motor vehicles used exclusively for training purposes shall register vehicles in the same manner as is provided by law for other motor vehicles, but no charge shall be made for the registration of the vehicles.

(2) All vocational-technical school, technical college, and community college buses registered under the provisions of this section shall be properly identified as vocational-technical school, technical college, and community college vehicles.

History. Acts 1973, No. 476, §§ 1, 2; A.S.A. 1947, §§ 80-2586, 80-2586.1; Acts 1995, No. 1297, § 1.

6-51-102. Eye protection.

(a) Every student and teacher in the public schools, colleges, vocational schools, and universities of this state participating in any of the following courses is required to wear industrial-quality eye protective devices at all times while participating in the following courses or laboratories:

(1) Vocational or industrial arts shops or laboratories involving experience with:

(A) Hot molten metals;

(B) Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;

(C) Heat treatment, tempering, or kiln firing of any metal or other materials;

(D) Gas or electric arc welding;

(E) Any of the processes listed in this section which may be used for repairing a vehicle; or

(F) Caustic or explosive materials; or

(2) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

(b) A board of education may in its discretion:

(1) Purchase eye protective devices and furnish them free to students and teachers;

(2) Purchase eye protective devices and sell or rent the devices to students and teachers; or

(3) Require students and teachers to furnish their own eye protective devices without cost to the school, college, or university.

(c) As used in this section:

(1) A "board of education" shall be construed to include school district boards of directors of this state, county boards of education, or the trustees of the various state-supported institutions of higher learning in this state; and

(2) "Industrial-quality eye protective devices" means devices meeting the standards of the American standard safety code for head, eye, and

respiratory protection, Z2. 1-1959, promulgated by the American Standards Association, Incorporated.

History. Acts 1965, No. 48, §§ 1-3; §§ 1-3, are also codified as §§ 6-10-113 and 6-61-108.
A.S.A. 1947, § 80-1634 — 80-1636.

Publisher's Notes. Acts 1965, No. 48,

6-51-103. Required admission for certain students.

Any student who has met, or is in the process of meeting, the state requirements for graduation shall not be denied access to any program of vocational education if space is available within the program.

History. Acts 1981, No. 732, § 6;
A.S.A. 1947, § 80-2510.1.

6-51-104. Priorities.

A high priority of the vocational-technical schools enumerated in this act shall be the combatting of illiteracy and the providing of industrial training in the workplace.

History. Acts 1991, No. 1192, § 50.

A.C.R.C. Notes. Acts 1991, No. 930, § 4 provided: "A high priority of the Twin Lakes Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 931, § 4 provided: "A high priority of the Gateway Technical College Fund shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 935, § 4 provided: "A high priority of the Red River Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 936, § 4 provided: "A high priority of the Ozarka Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 937, § 4 provided: "A high priority of the Pines Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 938, § 4 provided: "A high priority of the Pulaski Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 939, § 4 provided: "A high priority of the Oil Belt Technical College shall be the combatting of illiter-

acy and the providing of industrial training, in the work place."

Acts 1991, No. 940, § 4 provided: "A high priority of the Petit Jean Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 942, § 4 provided: "A high priority of the Mid-South Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 944, § 4 provided: "A high priority of the Cossatot Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 945, § 4 provided: "A high priority of the Black River Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1991, No. 1192 provided appropriations for personal services and operating expenses for the Vocational and Technical Education Division of the Department of Education for the biennial period ending June 30, 1993, and for other purposes. The following vocational-technical schools were enumerated in § 7 of that act: Arkansas Valley, Black River, Cossatot, Cotton Boll, Crowley's Ridge, Delta, Foothills, Forrest Echoes, Gateway, Great Rivers, Mid-South, Northwest, Oil Belt,

Ouachita, Ozarka, Petit Jean, Pines, Pulaski, Quapaw, Red River, Rice Belt, Riverside, Twin Lakes, and White River.

Acts 1991, No. 1195, § 4 provided: "A high priority of the Ouachita Technical College shall be the combatting of illiteracy and the providing of industrial training in the work place."

Acts 1993, No. 661, § 5, provided: "A high priority of the Petit Jean Technical College shall be to provide a well-qualified workforce through quality educational programs of occupational and technical education."

Acts 1993, No. 662, § 5, provided: "A high priority of the Ouachita Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1993, No. 664, § 5, provided: "A high priority of the Gateway Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1993, No. 677, § 5, provided: "A high priority of the Mountain Home Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1993, No. 696, § 5, provided: "A high priority of the Mid-South Technical College, or its successor, shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1993, No. 698, § 5, provided: "A high priority of the North Arkansas Community/Technical College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1993, No. 765, § 5, provided: "A high priority of South Arkansas Community College shall be the combatting of illiteracy and the providing of industrial training, in the work place."

Acts 1995, No. 152, § 5, provided: "A high priority of the Black River Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 159, § 5, provided: "A high priority of the Red River Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 213, § 5, provided: "A high priority of the Ouachita Technical College shall be to combat illiteracy and to

provide industrial training in the work place."

Acts 1995, No. 219, § 5, provided: "A high priority of the Petit Jean Technical College shall be to provide a well-qualified workforce through quality educational programs of occupational and technical education."

Acts 1995, No. 244, § 5, provided: "A high priority of the Ozarka Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 251, § 5, provided: "A high priority of the Pines Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 252, § 5, provided: "A high priority of the Pulaski Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 253, § 5, provided: "High priorities of the Cossatot Technical College shall be the development and implementation of technical programs designed to:

"(1) upgrade skills of current employees in service area businesses and industries,

"(2) to combat illiteracy,

"(3) to increase the number of skilled workers available for employment, and

"(4) to provide leadership for school-to-work programs, including cooperation with area public schools, businesses, industries, and labor groups."

Acts 1995, No. 255, § 5, provided: "A high priority of the North Arkansas Community/Technical College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 321, § 5, provided: "A high priority of the Gateway Technical College is to provide quality technical training programs, transfer programs, and industrial training in the work place."

Acts 1995, No. 448, § 5, provided: "A high priority of Mid-South Community College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 449, § 6, provided: "A high priority of South Arkansas Community College shall be to combat illiteracy and to provide industrial training in the work place."

Acts 1995, No. 1033, § 5, provided: "A

high priority of the Arkansas State University — Mountain Home shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1995, No. 1199, § 27, provided: “A high priority of the Vocational Technical Institutions shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 678, § 5, provided: “A high priority of the Ouachita Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 680, § 5, provided: “A high priority of the Gateway Technical College is to provide quality technical training programs, transfer programs, and industrial training in the workplace.”

Acts 1997, No. 681, § 5, provided: “A high priority of the Arkansas State University - Mountain Home shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 682, § 5, provided: “A high priority of the University of Arkansas Community College at Hope shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 712, § 5, provided: “A high priority of the Pulaski Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 714, § 5, provided: “A high priority of the Southeast Arkansas Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 715, § 5, provided: “A high priority of South Arkansas Community College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 716, § 5, provided: “A high priority of the North Arkansas Community/Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 717, § 5, provided: “High priorities of the Cossatot Technical College shall be the development and implementation of technical programs designed to:

“(1) upgrade skills of current employees in service area businesses and industries,

“(2) to combat illiteracy,

“(3) to increase the number of skilled workers available for employment, and

“(4) to provide leadership for school-to-work programs including cooperation with area public schools, businesses, industries, and labor groups.”

Acts 1997, No. 720, § 5, provided: “A high priority of the Ozarka Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 764, § 5, provided: “A high priority of Mid-South Community College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 813, § 5, provided: “A high priority of the Black River Technical College shall be to combat illiteracy and to provide industrial training in the work place.”

Acts 1997, No. 814, § 5, provided: “A high priority of the Petit Jean Technical College shall be to provide a well-qualified workforce through quality educational programs of occupational and technical education.”

Acts 2003, No. 1581, § 6, provided: “A high priority of Mid-South Community College shall be to combat illiteracy and to provide industrial training in the work place. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Acts 2003, No. 1598, § 6, provided: “A high priority of the Black River Technical College shall be to combat illiteracy and to provide industrial training in the work place. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Acts 2003, No. 1600, § 6, provided: “A high priority of the Ozarka College shall be to combat illiteracy and to provide industrial training in the work place. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Acts 2003, No. 1602, § 6, provided: “A high priority of the Pulaski Technical College shall be to provide access to high quality education that promotes student learning and support the economic development of the state. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Acts 2003, No. 1604, § 6, provided: “A high priority of the University of Arkan-

sas Community College at Hope is to provide quality technical training programs, transfer programs, and workforce education. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

Acts 2003, No. 1606, § 6, provided: “A

high priority of the Arkansas State University — Mountain Home shall be to combat illiteracy and to provide industrial training in the work place. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.”

6-51-105. Priorities — Vocational-technical institutions.

A high priority of the vocational-technical institutions shall be to combat illiteracy and to provide industrial training in the workplace.

History. Acts 1997, No. 1347, § 34.

SUBCHAPTER 2 — ESTABLISHMENT AND ADMINISTRATION GENERALLY

SECTION.

- 6-51-201. Receipt and administration of federal funds.
- 6-51-202. Authority to establish schools.
- 6-51-203. Determining school location and establishing courses of instruction.
- 6-51-204. Public school or community branches — Special instruction.
- 6-51-205. Board responsibility for school operation — Personnel and equipment.
- 6-51-206. Local board's authority to sell, convey, or lease unneeded lands.
- 6-51-207. Authority to accept gifts and donations.
- 6-51-208. Student fees.
- 6-51-209. Accident insurance for students.
- 6-51-210. Disposition of funds generally.

SECTION.

- 6-51-211. Acceptance of certain federal benefits promoting vocational education.
- 6-51-212. Custodian of certain funds — Disbursement.
- 6-51-213. Administration of certain federal and state vocational education laws.
- 6-51-214. Annual report and statement of finances.
- 6-51-215. Cooperation of various boards in establishing vocational programs — Use of tax moneys.
- 6-51-216. State board authority to acquire and maintain facilities — Bonded indebtedness.
- 6-51-217. Change of name to “technical institute”.

Cross References. Vocational technical training for inmates, §§ 12-29-306 — 12-29-310.

Effective Dates. Acts 1931, No. 169, § 198: approved Mar. 25, 1931. Emergency clause provided: “It is found as a fact that the advent of the automobile, and the great improvement in the roads of the State have worked great changes in the system of administering the public schools of the State, and there is occasion to change the boundaries of many such districts before the end of the current school term, to relieve many of them of pressing indebtedness, to immediately ad-

minister to the health of many pupils in the schools, and to distribute State Funds to many of the school in the near future to prevent some of them from having to close for the lack of funds; therefore, it is necessary that this act take immediate effect for the preservation of public peace, health, and safety; therefore, an emergency is declared and this act shall take effect and be in force immediately after its passage.”

Acts 1957, No. 328, § 12: July 1, 1957.

Acts 1964 (Ex. Sess.), No. 8, § 13: Mar. 26, 1964. Emergency clause provided: “Since the Federal Vocational Education

Act of 1963 was passed by Congress subsequent to the 1963 Arkansas General Assembly, and since no State appropriation has been made to implement the Act, and since the Act is designed to relieve the unemployment and drop-out problems that exist nationally, therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of public peace, health, and safety shall be in full force and effect from and after its passage and approval."

Acts 1981, No. 732, § 11: July 1, 1981. Emergency clause provided: "It is hereby found and determined by the Seventy-Third General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1981 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1981 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1981."

Acts 1981, No. 769, § 21: July 1, 1981. Emergency clause provided: "It is hereby found and determined by the Seventy-Third General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1981 is essential to

the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1981 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1981."

Acts 1983, No. 484, § 4: Mar. 16, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that buildings, structures, parking facilities, dormitory facilities and/or other facilities are badly needed at state supported vocational technical schools and that, except as provided by Act 6 of the First Extraordinary Session of 1968, the Board of Vocational Education does not presently have the authority to issue revenue bonds to purchase, construct, improve, equip and maintain such facilities and the grounds on which they are situated and that it is essential to the proper and efficient operation of said state supported vocational technical schools that the Board be granted this authority immediately in order to obtain financing for various capital improvement programs at the schools. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

Acts 1999, No. 1078, § 92: effective July 1, 2000.

6-51-201. Receipt and administration of federal funds.

The State Board of Workforce Education and Career Opportunities is designated as the agency of state government to receive and administer any and all federal funds made available to this state for the purpose of assisting the state or school districts in providing for the extension of vocational education of less than college grade in the field of vocational-technical and adult education for persons sixteen (16) years of age and over.

History. Acts 1957, No. 328, § 1;
A.S.A. 1947, § 80-2557.

6-51-202. Authority to establish schools.

(a) The State Board of Workforce Education and Career Opportunities is authorized to establish or designate one (1) or more area vocational-technical and adult education schools of less than college grade for the purpose of offering training in the various areas which may be prescribed by the United States Congress for persons sixteen (16) years of age or over.

(b) The location of the school or schools shall be determined by the state board by formal resolution which shall be made a part of the minutes of the state board, and a copy shall be filed with the Secretary of State.

(c)(1) In the event more than one (1) school is established, the location of the school or schools shall be in different congressional districts until a school has been established in each congressional district.

(2) The board may, without regard to the foregoing limitation, designate any area vocational-technical and adult education school for location on lands owned by any school district which, in its application made and filed with the board, proposes to construct and operate such a school.

(3) However, this authority would be applicable only if state funds for construction of area vocational-technical and adult education schools are not available.

(4) In the event the state board designates an area school to be constructed and operated by a school district, the school district board of directors must provide operating funds from local sources, except that federal funds which are now available or which may hereafter be provided by the federal government may be used as operating funds.

History. Acts 1957, No. 328, § 3; 1964
(Ex. Sess.), No. 8, § 11; A.S.A. 1947, § 80-
2559.

6-51-203. Determining school location and establishing courses of instruction.

(a) In determining the location of technical institutes or vocational-technical schools and in establishing the courses of instruction to be offered in the schools, the State Board of Workforce Education and Career Opportunities shall give consideration to:

- (1) Trends in industrial development;
- (2) Concentration of population;
- (3) Concentration of industry;
- (4) Natural resources; and
- (5) Reasonable distance for people in all areas of the state.

(b)(1) The State Board of Workforce Education and Career Opportunities shall develop a course content syllabus for each course of instruction offered in a postsecondary technical institute or vocational-technical school. The course syllabus for each course of instruction shall specify the essential competencies to be taught in the course of instruction.

(2) Each instructor employed in a postsecondary technical institute or vocational-technical school shall utilize the appropriate course syllabus in providing instruction to postsecondary vocational students. It shall be the responsibility of the director of each postsecondary technical institute or vocational-technical school to ensure that vocational-technical instructors utilize the course syllabi developed pursuant to the provisions of this section in offering instruction to postsecondary vocational-technical students.

(3) The course syllabi required to be developed pursuant to the provisions of this section shall be adopted by the State Board of Workforce Education and Career Opportunities not later than July 1, 1990, and shall be utilized in postsecondary technical institutes or vocational-technical schools in the school year beginning 1990-1991.

(c)(1) The State Board of Workforce Education and Career Opportunities and the Arkansas Higher Education Coordinating Board are hereby authorized to certify certain courses of instruction offered by postsecondary technical institutes or vocational-technical schools as being equivalent to comparable courses offered by public two-year or four-year institutions of higher education.

(2) Any course of instruction offered by postsecondary technical institutes or vocational-technical schools that is certified as equivalent to a comparable course of instruction offered by a two-year or four-year institution of higher education shall be transferable for credit to a public two-year or four-year institution of higher education.

(d) The Arkansas Higher Education Coordinating Board and the State Board of Workforce Education and Career Opportunities shall promulgate rules and regulations for implementation of the provisions of this section in accordance with the accreditation standards of the receiving institutions.

(e) Students who matriculate at institutions of higher education shall meet the same standards for college and university admission as are defined in § 6-61-110.

History. Acts 1957, No. 328, § 4; A.S.A. 1947, § 80-2560; Acts 1989, No. 848, § 1; 1999, No. 1323, § 32.

Amendments. The 1999 amendment inserted "technical institutes or" preceding "vocational-technical" and "technical institute or" preceding "vocational-technical" throughout this section; substituted "board" for "State Board of Vocational Education" in (b)(1), (b)(3), and (c)(1); substituted "State Board of Workforce Educa-

tion and Career Opportunities" for "State Board of Vocational Education" in (a) and (d); substituted "in the course of" for "in such course of" in (b)(1); substituted "Arkansas Higher Education Coordinating Board" for "State Board of Higher Education" in (c)(1) and (d); and, in (e), substituted "matriculate at institutions" for "matriculate to institutions," and inserted "are" preceding "defined in."

6-51-204. Public school or community branches — Special instruction.

In addition to the authority of the State Board of Workforce Education and Career Opportunities to establish area vocational-technical and adult education schools as authorized in §§ 6-51-201 — 6-51-203, 6-51-205, 6-51-207, 6-51-208(a)-(c), 6-51-209, and 6-51-210, and laws amendatory thereto, the board is authorized, whenever funds are available, to establish branches of those area vocational-technical schools or to offer special vocational-technical instruction at public schools or in other facilities in communities in the area of the respective vocational-technical schools, as the board may determine is in the interest of the area and whenever sufficient demand may exist.

History. Acts 1967, No. 363, § 1;
A.S.A. 1947, § 80-2560.1.

CASE NOTES

Cited: Dupree v. Alma Sch. Dist. No. 30,
279 Ark. 340, 651 S.W.2d 90 (1983).

6-51-205. Board responsibility for school operation — Personnel and equipment.

(a) The State Board of Workforce Education and Career Opportunities shall be responsible for the operation of the schools and shall have authority to purchase, lease, or construct buildings, land, equipment, machinery, and supplies necessary for the teaching of trade, vocational, or other federally aided adult courses of less than college grade.

(b) The state board is authorized to employ personnel and set salaries which shall be comparable to that received by other similarly positioned personnel in the Department of Education, to negotiate leases or purchases with any and all agencies of the government of the United States for the lease or purchase of suitable facilities, equipment, machinery, and supplies to be used for the purposes authorized by this section and §§ 6-51-201 — 6-51-203, 6-51-207, 6-51-208(a)-(c), 6-51-209, and 6-51-210.

(c) All laws governing the employment of personnel of the department, including such matters as leave regulations and teacher retirement membership, shall apply to employees of all vocational-technical and adult education schools.

History. Acts 1957, No. 328, § 5;
A.S.A. 1947, § 80-2561.

6-51-206. Local board's authority to sell, convey, or lease unneeded lands.

(a) The local boards of technical institutes and comprehensive life-long learning centers are authorized to sell or convey lands belonging to

any of the local boards of technical institutes and comprehensive lifelong learning centers of this state if the local board shall determine that the lands are not needed for vocational-technical educational purposes.

(b) In addition, the local boards may enter into long-term leases with private nonprofit organizations for the location of mental health centers and other public service facilities not operated for profit on any of the lands belonging to a technical institute or vocational-technical school in this state if the local board determines that the lands are not required for the present or anticipated future needs of the school and that the lease thereof would serve a beneficial public service.

(c) The lease shall be under those terms, for that period of time, and under those conditions which the local board may determine would be in the best interest of the State of Arkansas and the state's vocational-technical school program.

History. Acts 1981, No. 769, § 20; A.S.A. 1947, § 80-2561.1; Acts 1999, No. 1323, § 33.

Amendments. The 1999 amendment, in (a), substituted "local boards of technical institutes and comprehensive lifelong learning centers are" for "State Board of Vocational Education is," substituted "local boards of technical institutes and comprehensive lifelong learning centers" for "vocational-technical schools," and inserted "local" preceding "board"; in (b),

substituted "local boards" for "State Board of Vocational Education," inserted "technical institute or" preceding "vocational-technical school," and inserted "local" preceding "board"; in (c), substituted "under those terms" for "under such terms," "for that period" for "for such period," "under those conditions" for "under such conditions," and inserted "local" preceding "board may determine"; and made stylistic changes.

6-51-207. Authority to accept gifts and donations.

The board is granted authority to accept gifts, grants, donations, equipment and materials, and bequests of money and real and personal property for the purposes of this section and §§ 6-51-201 — 6-51-203, 6-51-205, 6-51-208(a)-(c), 6-51-209, and 6-51-210.

History. Acts 1957, No. 328, § 7; A.S.A. 1947, § 80-2563.

6-51-208. Student fees.

(a) The State Board of Workforce Education and Career Opportunities may establish a reasonable system of charges as fees to be paid by students in the technical institutes or vocational-technical schools and adult education courses, with the system of charges to be established according to the type of course of instruction and the length thereof.

(b) The rate or fees to be paid by students shall be set by the board, and all funds accruing in the fiscal year over and above the amount appropriated by the General Assembly from the fund shall be deposited in the State Treasury at the end of the fiscal year.

(c) Employees may not be paid from cash funds unless appropriated for this specific purpose by the General Assembly.

(d) No secondary student or school shall be made to pay a tuition charge as a condition of his or her enrollment in any vocational program funded by the Department of Education while enrolled in a regular high school program.

(e) When any person sixty (60) years of age or older is admitted and enrolls as a student in any state area vocational-technical school, the board or other appropriate institutional officials shall waive all the general student fee charges for each such student on a space-available basis in existing classes.

History. Acts 1957, No. 328, § 6; 1965, No. 450, § 1; 1977, No. 525, § 2; 1981, No. 732, § 6; A.S.A. 1947, §§ 80-1662, 80-2510.1, 80-2562; Acts 1999, No. 1323, § 34.

Amendments. The 1999 amendment,

in (a), substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational Education," and inserted "technical institutes or" preceding "vocational-technical."

6-51-209. Accident insurance for students.

(a) The State Board of Workforce Education and Career Opportunities is authorized to expend fees collected from students to provide accident insurance coverage to students.

(b) Such purchases shall follow regular state purchasing procedures and regulations.

History. Acts 1957, No. 328, § 9; 1969, No. 174, § 1; A.S.A. 1947, § 80-2565.

6-51-210. Disposition of funds generally.

All income of the State Board of Workforce Education and Career Opportunities derived from student fees and from the sale of real or personal property or income from other sources as provided in this subchapter belonging to the board shall be deposited in the State Treasury for use by the board in developing a state vocational-technical and adult education program of less than college grade for persons sixteen (16) years of age and over.

History. Acts 1957, No. 328, § 9; 1969, No. 174, § 1; A.S.A. 1947, § 80-2565.

6-51-211. Acceptance of certain federal benefits promoting vocational education.

(a) The State of Arkansas accepts the benefits of an act passed by the United States Congress entitled, "An Act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved by the President on February 23, 1917.

(b) The state agrees to observe and to comply with all the requirements of the federal act.

History. Acts 1931, No. 169, § 185; Pope's Dig., § 11627; A.S.A. 1947, § 80-2512.

U.S. Code. The Act of Congress referred to in this section was repealed by Pub. L. No. 105-33.

6-51-212. Custodian of certain funds — Disbursement.

(a) The Treasurer of State is designated and appointed custodian of all money received by the state from the appropriation made by the Act of Congress referred to in § 6-51-211, and he or she is authorized to receive and to provide for the proper custody of the money and to make disbursements thereof in the manner provided in that federal act for the purposes therein specified.

(b) He or she shall also pay out any money appropriated by the State of Arkansas for the purpose of carrying out the provisions of this act upon the order of the State Board of Workforce Education and Career Opportunities.

History. Acts 1931, No. 169, § 186; Pope's Dig., § 11628; A.S.A. 1947, § 80-2513.

Meaning of "this act". Acts 1931, No. 169, codified as §§ 6-10-101 — 6-10-104, 6-10-107, 6-11-101 — 6-11-107, 6-11-109 — 6-11-111, 6-11-117, 6-12-109, 6-12-206, 6-13-101 — 6-13-104, 6-13-201, 6-13-203 — 6-13-211, 6-13-213, 6-13-215, 6-13-220, 6-13-221, 6-13-619, 6-13-620, former § 6-13-621 [repealed], 6-14-104, 6-14-118, 6-16-101, 6-16-103 — 6-16-105, 6-16-107, 6-16-114, 6-17-101, 6-17-103 — 6-17-105,

6-17-401, 6-17-405, 6-18-210 — 6-18-212, 6-18-215 — 6-18-219, 6-18-501, 6-18-507, 6-18-701, 6-19-102, 6-20-202, 6-20-204, 6-20-208, 6-20-213 — 6-20-217, 6-20-220 — 6-20-222, 6-20-403, 6-20-408, 6-20-1201, 6-20-1204 — 6-20-1215, 6-21-101, 6-21-602, 6-21-604 — 6-21-606, 6-51-211 — 6-51-215, 26-80-101, 26-80-102, and 26-80-104.

U.S. Code. The Act of Congress referred to in this section was repealed by Pub. L. No. 105-33.

6-51-213. Administration of certain federal and state vocational education laws.

(a) The State Board of Workforce Education and Career Opportunities is designated to:

(1) Carry into effect the provisions of the federal act and this act and have all necessary authority to cooperate with the United States Department of Education in the administration of the federal act;

(2) Administer any legislation pursuant thereto enacted by the General Assembly; and

(3) Administer the funds provided by the federal government and by the State of Arkansas under the provisions of the respective acts for the promotion of vocational-technical education in agricultural subjects and in trade and industrial subjects, as well as in family and consumer science.

(b) The state board shall have the full authority to:

(1) Formulate plans for the promotion of vocational education in subjects that are an essential and integral part of the public school

system of education in the State of Arkansas and provide for the preparation of teachers of those subjects;

(2) Fix the compensation of officials and assistants as may be necessary to administer the federal act and this act for the State of Arkansas;

(3) Make studies and investigations relating to vocational education in such subjects;

(4) Promote and aid in the establishment by local communities of schools, departments, or classes;

(5) Prescribe qualifications for the teachers, directors, and supervisors of subjects and have full authority to provide for the certification of the teachers, directors, and supervisors;

(6) Cooperate in the maintenance of classes under its own direction and control; and

(7) Establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers.

(c)(1) The Director of the Department of Workforce Education, as executive officer of the board for the purpose of administering the federal act and this act, shall, by and with the advice and consent of the board, designate assistants as may be necessary to carry out properly the provisions hereof.

(2) The director shall also carry into effect rules and regulations as the board may require.

(3) The records of the director as far as they pertain to the provisions of this act shall be kept in his or her office in the Capitol of the state.

History. Acts 1931, No. 169, §§ 187, 188; Pope's Dig., §§ 11629, 11630; A.S.A. 1947, §§ 80-2514, 80-2515; Acts 1999, No. 1323, § 35.

Amendments. The 1999 amendment substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational Education" in the introductory paragraph of (a); and in (a)(3), inserted "technical" preceding "ed-

ucation," inserted "and" preceding "in trade and industrial," substituted "as well as in family and consumer science" for "as well as home economics," and made stylistic changes.

Meaning of "this act". See note to § 6-51-212.

U.S. Code. The federal act referred to in this section was repealed by Pub. L. No. 105-33.

6-51-214. Annual report and statement of finances.

The State Board of Workforce Education and Career Opportunities shall make a detailed report annually to the Governor setting forth the conditions of vocational-technical education in the State of Arkansas, a list of the schools to which federal and state aid has been provided, and a detailed statement of the expenditures of federal funds and of state funds provided in this act.

History. Acts 1931, No. 169, § 192; Pope's Dig., § 11634; A.S.A. 1947, § 80-2517; Acts 1999, No. 1323, § 36.

Amendments. The 1999 amendment substituted "State Board of Workforce Education and Career Opportunities" for

"State Board of Vocational Education," inserted "technical" preceding "education," and made a stylistic change.

Meaning of "this act". See note to § 6-51-212.

6-51-215. Cooperation of various boards in establishing vocational programs — Use of tax moneys.

(a) The board of directors of any school district or board of trustees of any state school, college, or university may cooperate with the State Board of Workforce Education and Career Opportunities in the establishment of vocational schools, departments, or classes giving instruction in vocational-technical subjects, including secondary instruction in agricultural subjects, trades or industrial subjects, or family and consumer science subjects.

(b) Any board of directors or board of trustees may use any moneys raised by public taxation in the same manner as moneys for other school purposes are used for the maintenance and support of public schools or state schools, colleges, and universities.

History. Acts 1931, No. 169, § 189; Pope's Dig., § 11631; A.S.A. 1947, § 80-2516; Acts 1999, No. 1078, § 85; 1999, No. 1323, § 37.

Amendments. The 1999 amendment by No. 1078, in (a), deleted "any county board of education" following "any school district" and substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational

Education"; deleted "board of education" following "board of directors" in (b); and made minor punctuation changes.

The 1999 amendment by No. 1323, in (a), substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational Education," added "and technical" following "vocational," and substituted "family and consumer science" for "home economics."

6-51-216. State board authority to acquire and maintain facilities — Bonded indebtedness.

(a)(1) The State Board of Workforce Education and Career Opportunities is authorized to purchase, construct, improve, equip, and maintain buildings, structures, parking facilities, dormitory facilities, or other facilities and the lands on which they are located at any state-supported technical institute or vocational-technical school.

(2) In order to obtain funds therefor, the board is authorized to issue revenue bonds secured by a pledge of income from those facilities and a pledge of other fees, rents, charges, tolls, and receipts of the school where the facilities are to be purchased, constructed, improved, equipped, or maintained as shall be determined by the board.

(b) All provisions of §§ 6-62-301 — 6-62-305 and 6-62-307 — 6-62-312 regarding the execution of, the terms and conditions, maximum interest rates, conversion privileges, refunding rights, and other limitations, conditions, privileges, and rights with respect to bonds issued by boards of trustees of institutions of higher learning shall, so far as they are appropriate, be equally applicable to bonds issued by the board under the authority granted in this section.

(c) Any indebtedness incurred by the board pursuant to the authority granted in this section shall be an obligation of the board and of the

state-supported vocational-technical schools involved in such transaction, and under no circumstances shall the indebtedness be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

History. Acts 1968 (1st Ex. Sess.), No. 6, §§ 1-3; 1983, No. 484, §§ 1, 2; A.S.A. 1947, §§ 80-3311.1 — 80-3311.3; Acts 1999, No. 1323, § 38.

Amendments. The 1999 amendment rewrote (a).

6-51-217. Change of name to “technical institute”.

- (a) The State Board of Workforce Education and Career Opportunities shall establish a technical curriculum that must be offered by any vocational-technical school requesting permission to change its name pursuant to this section to “technical institute”. The board shall periodically review and revise, if necessary, this technical curriculum requirement.
- (b) Any vocational-technical school which satisfies the curriculum requirements established by the board pursuant to subsection (a) of this section may, in accordance with procedures to be adopted by the board, seek approval from the board to change its name from “____ Vocational-Technical School” to “____ Technical Institute”. Upon approval by the board of any such application, the school shall be renamed and become a technical institute.

History. Acts 1989, No. 858, § 1.

SUBCHAPTER 3 — MULTIDISTRICT VOCATIONAL CENTERS

- | | |
|---|---------------------------|
| SECTION. | SECTION. |
| 6-51-301. Proposed new centers. | 6-51-303. Administration. |
| 6-51-302. Approval of center establishment. | 6-51-304. Center council. |
| | 6-51-305. Financing. |

Preambles. Acts 1985, No. 788 contained a preamble which read: “Whereas, quality vocational and technical education is viewed as necessary to provide a trained work force to enhance the state’s economic industrial and employment development and to accommodate the varied skills required by business and industry; and

“Whereas, the need for equal access to equitably financed quality vocational education programs for high school students is mandated in the order issued by the court in the case of Alma School District, et al, v. Arkansas State Board of Education which has been upheld by the Arkansas Supreme Court; and

“Whereas, it is a priority of the state’s

educational and political leadership to create an articulated, high-quality system of vocational and technical education so that all high school students have substantially equal access to programs in vocational centers located throughout the state to serve students of cooperating school districts;

“Now, therefore....”

Effective Dates. Acts 1985, No. 788, § 5: Apr. 3, 1985. Emergency clause provided: “It is hereby found and determined by the General Assembly that vocational centers, as provided in the Act, are essential to: (a) provide equity and substantially equal access to quality vocational education programs; (b) provide job train-

ing to support economic, industrial, and employment development efforts; and (c) improve school programs and assist schools to meet accreditation standards. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1989, No. 68, § 4: Feb. 17, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that present law prohibits schools operating vocational centers from carrying forward any unexpended funds at the end of the school year; that such unexpended funds should be made available for the purpose of operating summer programs; that this Act allows the schools to utilize those unexpended funds for the purpose of operating summer programs; and that this Act should go into effect immediately in order to authorize the expenditure of those excess funds for the upcoming summer programs. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 229, § 5: Feb. 25, 1991. Emergency clause provided: "It is hereby found and determined by the General Assembly that present law prohibits schools operating vocational centers from carrying forward any unexpended funds at the end of the school year except for the purpose of conducting summer programs; that such unexpended funds should be

made available for the purpose of operating summer programs and community based education centers; that this Act allows the schools to utilize those unexpended funds for the purpose of operating summer programs and community based education centers; and that this Act should go into effect immediately in order to authorize the expenditure of those excess funds for the upcoming summer programs and operation of community based education centers. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 2001, No. 819, § 5: Mar. 19, 2001. Emergency clause provided: "It is found and determined by the General Assembly that that it is necessary for the welfare of the students enrolled in vocational centers to have uninterrupted financial support from the state and that institutional school districts need to carry forward funds from the 2000-2001 fiscal year for the purposes of operating vocational centers. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-51-301. Proposed new centers.

(a) Any request for approval of a proposed new center shall be submitted by the superintendent or chief executive officer of the school or institution proposed to function as the center and superintendents from the several schools to be served by a center or the board of an education service cooperative within whose boundaries the center is to be located.

(b) Such a request for a proposed new center must provide the necessary information and assurances according to the guidelines for approval of new centers established by the State Board of Workforce Education and Career Opportunities.

History. Acts 1985, No. 788, § 3; A.S.A. 1947, § 80-2593.2; Acts 2001, No. 819, § 1.

Amendments. The 2001 amendment

substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational Education" in (b).

6-51-302. Approval of center establishment.

(a) The State Board of Workforce Education and Career Opportunities may approve the establishment of vocational centers to serve high school students from several school districts in locations where services are needed to:

(1) Support economic, industrial, and employment development efforts;

(2) Provide equity and substantially equal access to quality vocational programs; and

(3) Improve school programs to assist schools in meeting accreditation standards.

(b) The board shall only approve centers which utilize existing vocational education resources such as facilities, equipment, etc., except in those geographic areas in which comprehensive vocational offerings have not been developed and the state board determines that those resources must be developed to accomplish the above purposes.

(c) If a postsecondary vocational-technical school or two-year college which operates a secondary vocational center merges or consolidates with a public institution of higher education, the secondary vocational center may continue to be administered by the institution of higher education involved in the merger or consolidation.

History. Acts 1985, No. 788, § 1; A.S.A. 1947, § 80-2593; Acts 1999, No. 1323, § 39; 2001, No. 819, § 2.

Amendments. The 1999 amendment, in the introductory paragraph of (a), substituted "State Board of Workforce Education and Career Opportunities" for "State Board of Vocational Education" and "where services are" for "where such services are"; substituted "to assist schools in meeting" for "and assist schools to meet" in (a)(3); in (b), inserted "technical insti-

tute or" preceding "vocational-technical school" and "technical" preceding "programs"; substituted "board" for "State Board of Vocational Education" in (b) and (c); in (c), substituted "that those resources" for "that such resources" and deleted "mentioned" preceding "purposes"; and made stylistic changes.

The 2001 amendment deleted former (b) and redesignated former (c) as present (b); and added present (c).

6-51-303. Administration.

(a) The management, maintenance, and operation of a center shall be the responsibility of the local school or institution approved by the State Board of Workforce Education and Career Opportunities to be the center.

(b) A center shall be administered in accordance with the guidelines and policies established by the board.

History. Acts 1985, No. 788, § 3; A.S.A. 1947, § 80-2593.2; Acts 2001, No. 819, § 3.

Amendments. The 2001 amendment substituted "State Board of Workforce Ed-

ucation and Career Opportunities" for "State Board of Vocational Education" in (a); and substituted "board" for "State Board of Vocational Education" in (b).

6-51-304. Center council.

The superintendents of the schools served by the center shall function as the center council to assist with the coordination of scheduling and to advise the center's management board and administration on matters pertaining to the administration of the center.

History. Acts 1985, No. 788, § 3; A.S.A. 1947, § 80-2593.2.

6-51-305. Financing.

(a)(1) Vocational centers shall be financed with a combination of training fees from schools sending students and vocational center aid from the Public School Fund according to rules and regulations promulgated by the State Board of Workforce Education and Career Opportunities.

(2) Additionally, centers shall be eligible for any new vocational program start-up funds which become available from funds set aside for vocational start-up provided in the fund and for federal vocational education funds.

(b)(1) Any funds expended above the maximum funded amount per student as outlined in this section will be the responsibility of the institution or school approved to operate as a vocational center.

(2) Any funds received by an institution or school district operating a vocational center either from tuition or from state funds unexpended at the end of the school year shall be carried forward for the sole purpose of conducting summer programs and community-based education centers or supporting vocational center operations in succeeding years.

(c)(1) At each approved vocational center that is a postsecondary vocational-technical school, community college, or two-year college, only those programs that have been approved as designed exclusively for instruction of secondary students will qualify for state aid from the fund.

(2)(A) Vocational centers which may provide instruction to secondary students who have been admitted to on-going programs designed for postsecondary or collegiate students will not qualify for vocational aid from the fund.

(B) Under these circumstances, however, a vocational center shall be eligible to receive the tuition described above even if a sending school uses its state aid to pay the tuition.

History. Acts 1985, No. 788, § 2; A.S.A. 1991, No. 229, § 1; 1999, No. 1318, § 4; 1947, § 80-2593.1; Acts 1989, No. 68, § 1; 2001, No. 819, § 4.

Amendments. The 1999 amendment rewrote (a).
The 2001 amendment added “or sup-
porting vocational center operations in
succeeding years” at the end of (b)(2).

SUBCHAPTER 4 — PLUMBING PROGRAM

SECTION.

6-51-401. Course of instruction generally.
6-51-402. Instructors.

SECTION.

6-51-403. Apprentices.
6-51-404. Licensing.

6-51-401. Course of instruction generally.

- (a) The State Board of Workforce Education and Career Opportunities is authorized to establish programs of vocational-technical training for the training of plumbers.
- (b) A prescribed course of study will be set up by the Department of Workforce Education in conjunction with the Plumbing and Natural Gas Division of the Department of Health and the local training committee.
- (c) Courses of study shall be as prescribed by national plumbing standards.
- (d) Courses of instruction shall be developed in cooperation with, and with the approval of, the division and local training committees.
- (e) Courses of instruction shall be designed to enable the student completing the course to qualify for licensure as an apprentice plumber upon taking and passing the examination required by § 17-38-101 et seq.
- (f) The courses of instruction as authorized in this subchapter may be offered as a part of the vocational education program of any high school in this state and may be offered in any area high school, community college, or technical institute or vocational-technical school of this state.
- (g) The course of instruction shall be in compliance with the appropriate rules and regulations and shall provide the level of instruction provided by rules of the board in cooperation with local plumbing training committees.

History. Acts 1975, No. 394, §§ 1, 3; A.S.A. 1947, §§ 80-2587, 80-2589; Acts 1999, No. 1323, § 40.

Amendments. The 1999 amendment redesignated former (f)(1) and (f)(2) as present (f) and (g), respectively; in (f), inserted “and may be offered” preceding “in any area high school,” deleted “and in”

following “community college,” inserted “or technical institute or” preceding “vocational-technical,” and substituted “school of this state” for “schools of this state”; substituted “board” for “State Board of Vocational Education” in (g); and made a minor punctuation change.

6-51-402. Instructors.

- (a) The course of instruction and training as authorized in this subchapter for the training of plumbers shall provide that the instructor in the courses shall be approved by the training committee and the

State Board of Workforce Education and Career Opportunities as a qualified instructor.

(b) Training programs may be taught by a master or journeyman plumber.

History. Acts 1975, No. 394, §§ 2, 3;
A.S.A. 1947, §§ 80-2588, 80-2589.

6-51-403. Apprentices.

(a) The course of instruction may include, by appropriate rule, authorization for credit with respect to summer employment by a licensed master plumber in this state who supervises the work of the student.

(b) Each person enrolled in an approved course of instruction for training plumbers shall be entitled to apply to the Plumbing and Natural Gas Division of the Department of Health for an apprentice plumber temporary card which will enable the person to engage in apprentice plumbing work under the employment of a licensed master plumber who supervises the work of the person.

(c) Students employed by a master plumber on a temporary basis shall be limited to two (2).

History. Acts 1975, No. 394, § 2;
A.S.A. 1947, § 80-2588.

6-51-404. Licensing.

The program of instruction as authorized in this subchapter shall provide that upon satisfactory completion of the course of instruction, the Plumbing and Natural Gas Division of the Department of Health shall grant to the person completing such course of instruction, upon passing the necessary examinations required, an appropriate license, dependent upon the course of instruction completed by the person and the results of the test taken.

History. Acts 1975, No. 394, § 2;
A.S.A. 1947, § 80-2588.

SUBCHAPTER 5 — HOUSING CONSTRUCTION PROGRAM

SECTION.

- 6-51-501. Establishment.
- 6-51-502. Approval and notification requirements — Advance of funds.
- 6-51-503. Procedure for purchase of lot.
- 6-51-504. Construction.
- 6-51-505. Applicability of state purchasing law and regulations.
- 6-51-506. Dwelling unit or other building project — Conformity to lo-

SECTION.

- cal and state requirements and restrictions.
- 6-51-507. Procedure for appraisal and auction of dwelling unit or other building project — Exception.
- 6-51-508. Deposit of funds derived from sale.
- 6-51-509. Uses for Building Trades Revolving Fund.
- 6-51-510. Disbursing officer.

Effective Dates. Acts 1977, No. 678, § 13: July 1, 1977. Emergency clause provided: "It is hereby found and determined by the Seventy-First General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1977 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1977 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after July 1, 1977."

Acts 1997, No. 233, § 13: Feb. 21, 1997.

Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the immediate passage of this act is necessary to ensure that those state agencies that are planning building projects for construction during the current fiscal year are able to utilize agency funds in a more efficient manner by cooperating with area vocational schools under the provisions of this act. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-51-501. Establishment.

(a) There is established a program where state-supported area vocational schools offering courses of training in the building trades may, in connection with these courses of training, acquire lots and construct thereon single family dwelling units in connection with the course of training in the building trades and may sell such dwelling units and lots and deposit the funds derived therefrom in a Building Trades Revolving Fund, which is created for that purpose.

(b) In addition, Riverside Vocational and Technical School is exclusively authorized to construct other building projects for state agencies or for private, nonprofit organizations in connection with the course of training in the building trades.

History. Acts 1977, No. 678, § 1; A.S.A. 1947, § 80-2590; Acts 1997, No. 233, § 1.

6-51-502. Approval and notification requirements — Advance of funds.

(a) When a state-supported area vocational school offering courses of training in the building trades, including carpentry, plumbing, brick-laying, and electrical wiring, desires to participate in the program established in this subchapter, it shall first obtain the written approval of the building trades advisory committee for the construction trades.

(b) Upon receipt of written approval, the area vocational schools shall notify the Department of Workforce Education of its intent to

undertake the construction of a single family dwelling unit or other building project under the program established in this subchapter.

(c) Upon receipt of notice and subject to the availability of funds therefor, the department shall advance funds to the area vocational school from the Building Trades Revolving Fund for the purchase of lots and building materials, supplies, and fixtures to be used in the construction of the dwelling unit or other building project.

History. Acts 1977, No. 678, § 2;
A.S.A. 1947, § 80-2590.1; Acts 1997, No.
233, § 2.

6-51-503. Procedure for purchase of lot.

(a) When an area vocational school is advanced funds from the Building Trades Revolving Fund by the Department of Workforce Education as provided in this subchapter, the area vocational school shall, if it proposes to purchase a lot on which to build the dwelling unit or other building project, cause notice of the proposed purchase to be published in a newspaper of general circulation in the area where it proposes to purchase the lot in order to give persons in the area an opportunity to offer lots for sale to the school for the construction of the dwelling unit or other building project.

(b)(1) All offers received by the school to sell lots shall be considered by the building trades advisory committee, and the committee shall make a recommendation regarding the purchase of a lot to the department.

(2) In making the selection of a lot for recommendation to the department, the committee shall take into consideration the price of the lot, the distance of the lot from the school, the potential effect of the location of the property on the sale thereof after the dwelling unit or other building project is constructed, and such other matters as the committee may deem appropriate.

(3) The lot may be purchased only upon approval of the department.

History. Acts 1977, No. 678, § 3;
A.S.A. 1947, § 80-2590.2; Acts 1997, No.
233, § 3.

6-51-504. Construction.

(a) The Department of Workforce Education shall not advance funds to an area vocational school from the revolving fund created in this subchapter for the construction of more than one (1) dwelling unit or other building project at any one (1) time or more than one (1) dwelling unit or other building project in any twelve-month period.

(b) Riverside Vocational and Technical School shall be exempt from the provisions of this section.

History. Acts 1977, No. 678, § 4; A.S.A. 1947, § 80-2590.3; Acts 1997, No. 233, § 4.

6-51-505. Applicability of state purchasing law and regulations.

All building materials, supplies, and fixtures used in the construction of a dwelling unit or other building project by a vocational school as authorized in this subchapter shall be purchased by the school in accordance with the state purchasing law and regulations.

History. Acts 1977, No. 678, § 5; **Cross References.** Arkansas procurement law, § 19-11-201 et seq. A.S.A. 1947, § 80-2590.4; Acts 1997, No. 233, § 5.

6-51-506. Dwelling unit or other building project — Conformity to local and state requirements and restrictions.

Any dwelling unit or other building project constructed by an area vocational school pursuant to this subchapter shall conform to the local zoning and building code, if any, of the municipality or area in which constructed and shall be subject to all requirements, restrictions, and regulations of the locality in which located, the Department of Health, and other public agencies, the same as if constructed by a private builder.

History. Acts 1977, No. 678, § 6; A.S.A. 1947, § 80-2590.5; Acts 1997, No. 233, § 6.

6-51-507. Procedure for appraisal and auction of dwelling unit or other building project — Exception.

(a) Upon completion of a dwelling unit or other building project, the officials of the area vocational school shall cause the dwelling unit or building project to be appraised by a qualified real estate appraiser.

(b)(1) Upon receipt of the appraisal, the officials shall cause notice to be published in one (1) or more newspapers of general circulation in the area that the dwelling unit or other building project will be sold at public auction to the highest bidder above the appraised value thereof.

(2) The notice shall state the location of the dwelling unit or building project and the date, time, and place at which the auction will be held, which date shall be at least two (2) weeks after the date of the publication of the notice.

(c) No dwelling unit or other building project shall be sold for an amount less than the appraised value of the property.

(d) If no bid at the auction equals or exceeds the appraised value of the property, all bids shall be rejected, and the property shall again be advertised and offered for sale at another auction to be held within ninety (90) days after the first auction. This procedure of advertising for and holding an auction on the property shall be continued until the property is sold.

(e) The provisions of this section shall not be applicable to any building project for a state agency, which shall reimburse the area vocational school for the actual costs incurred in the completion of the project.

History. Acts 1977, No. 678, § 7;
A.S.A. 1947, § 80-2590.6; Acts 1997, No.
233, § 7.

6-51-508. Deposit of funds derived from sale.

All funds derived from reimbursement by a state agency or from the sale of a dwelling unit or other building project constructed under the provisions of this subchapter after deducting the cost of the sale shall be remitted to the Department of Workforce Education for deposit in the Building Trades Revolving Fund created in this subchapter.

History. Acts 1977, No. 678, § 8;
A.S.A. 1947, § 80-2590.7; Acts 1997, No.
233, § 8.

6-51-509. Uses for Building Trades Revolving Fund.

All funds appropriated for the program established in this subchapter together with funds derived from the sale of property and remitted to the Department of Workforce Education and deposited in the Building Trades Revolving Fund shall be used exclusively for the purpose of making advances to area vocational schools for the purchase of lots, building materials, supplies, and fixtures necessary to construct dwellings or other building projects on the lots and to otherwise carry out the purposes of this subchapter.

History. Acts 1977, No. 678, § 9;
A.S.A. 1947, § 80-2590.8; Acts 1997, No.
233, § 9.

6-51-510. Disbursing officer.

The disbursing officer for the Department of Workforce Education shall be disbursing officer for funds in the Building Trades Revolving Fund.

History. Acts 1977, No. 678, § 11;
A.S.A. 1947, § 80-2590.10.

SUBCHAPTER 6 — PRIVATE RESIDENT AND CORRESPONDENCE SCHOOLS

SECTION.

- 6-51-601. Legislative intent.
- 6-51-602. Definitions.
- 6-51-603. Exemptions.
- 6-51-604. Notice of possible violations —
Responses — Injunctions.

SECTION.

- 6-51-605. State Board of Private Career
Education.
- 6-51-606. School license generally.
- 6-51-607. Private Career School Student
Protection Trust Fund.

SECTION.

- 6-51-608. Extension course sites and satellite schools — Additional school license.
- 6-51-609. Admissions representatives' licenses — Generally.
- 6-51-610. Fees.
- 6-51-611. License renewal.
- 6-51-612. Penalty for operating school without license.
- 6-51-613. Contracts and promissory notes of unlicensed schools void — Recovery of tuition.
- 6-51-614. Denial, probation, or revocation of school license — Review.
- 6-51-615. Denial or suspension of admis-

SECTION.

- sions representative's license — Review — Penalty.
- 6-51-616. Student grievance procedure.
- 6-51-617. Private Career Education Arbitration Panel.
- 6-51-618. Fines.
- 6-51-619. Subpoenas and subpoenas duces tecum.
- 6-51-620. Bond.
- 6-51-621. Construction of subchapter.
- 6-51-622. Noncommercial driver training instruction.
- 6-51-623. Defensive driving instruction.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-51-601 — 6-51-622 may not apply to § 6-51-623, which was enacted subsequently.

Publisher's Notes. Acts 1989, No. 906, § 1, completely revised this subchapter, renumbering certain former sections and deleting others. Where appropriate, prior histories have been carried over under the new section numbers. Former §§ 6-51-606 and 6-51-608 were deleted altogether. Those sections were derived from:

6-51-606. Acts 1983, No. 770, § 4; A.S.A. 1947, § 80-4304.

6-51-608. Acts 1983, No. 770, § 8; A.S.A. 1947, § 80-4308.

Acts 1989, No. 906, § 3, provided that: "Nothing in this act shall be construed to effect the responsibilities of the State Board of Higher Education as defined in § 6-61-301."

Cross References. Correspondence courses, § 6-11-119.

Licenses and permits, removal of disqualification for criminal offenses, § 17-1-103.

Effective Dates. Acts 1983, No. 770, § 16: June 30, 1983. Emergency clause provided: "It is hereby found and determined by the Seventy-Fourth General Assembly that minimum standards must be provided for the operation of all private vocational schools and related schools offering courses to residents of the State of Arkansas; that the General Assembly is aware of the fact that the unemployment situation will increase the need for training by the private sector; that there will continue to be a need to provide adequate

protection and safeguards for reputable school operators and the public; that such provision should be enacted immediately; and that this Act would so provide. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health, and safety shall be in full force and effect on June 30, 1983."

Acts 1989, No. 906, §§ 2, 6: Sept. 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly that minimum standards must be provided for the operation of all private career schools and related schools offering courses to residents of the State of Arkansas; that there will continue to be a need to provide adequate protection and safeguards for reputable private career school operators and the public; that such provision should be enacted immediately; and that this Act would so provide. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health, and safety shall be in full force and effect from its passage and approval. Approved Mar. 23, 1989."

Acts 1995, No. 367, § 5: Feb. 20, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly that when institutions subject to the authority of the Private Career Education Board become insolvent or otherwise cease to operate, the Private Career Education Board incurs considerable expense in acquiring, storing and preserving student records for the purpose of paying

claims filed by students as authorized by law; that this act is designed to provide a method to reimburse the Private Career Education Fund for such expenses and should be given effect immediately in the event any such Private Career Education facilities fail in the near future. Therefore an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 1213, § 6: Apr. 11, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly that minimum standards must be provided for the operation of all schools offering programs of study to residents of the State of Arkansas; that there will continue to be a need to provide adequate protection and safeguards for reputable private career school operators and the public; that such provision should be enacted immediately; and that this act would so provide. Therefore an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in

full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-51-601. Legislative intent.

(a) The General Assembly is aware of the fact that:

(1) Many private career schools offering resident or correspondence programs in the State of Arkansas have contributed extensively to the well-being of the individuals and the business and industrial establishments which have benefited from that training; and

(2) There is a need for protection of the consumer and the ethical private career school operator.

(b) The General Assembly determines that the establishment of reasonable standards and licensing requirements for resident or correspondence schools, their program offerings, and their instructors and admissions representatives in the manner provided in this subchapter is essential in the public interest and in furtherance of the purposes stated above.

History. Acts 1983, No. 770, § 1; A.S.A. 1947, § 80-4301; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1.

6-51-602. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Admissions representative" means a person who executes an enrollment agreement and who receives compensation for the primary duties of encouraging prospective students to enroll for training in a program of study offered by a school covered under the provisions of this subchapter;

(2) "Board" means the State Board of Private Career Education;

(3) "Combination school" means any school in which programs of study are conducted by both distance education and resident training;

(4) "Director" means the authorized representative of the State Board of Private Career Education for the purpose of administering the provisions of this subchapter;

(5) "Distance education school" means any school in which all programs of study are conducted by distance education;

(6) "Extension course site" means a location away from the school whereby a course or courses are conducted one (1) or more times during the licensure period;

(7) "Private Career Education Arbitration Panel" means the three-person panel established for the purpose of arbitrating student and school grievances;

(8) "Program of study" means an organized unit of courses or an individual course in which instruction is offered;

(9) "Resident school" means any school in which all programs of study are conducted in resident classrooms or held in public meeting facilities;

(10) "Satellite school" means a location within the State of Arkansas away from the school where programs of study are offered on a regular continuing basis by Arkansas schools;

(11)(A) "School" means any person, firm, partnership, association, corporation, or other form of business organization seeking to do business or offering in the State of Arkansas resident or correspondence training that leads to or enhances occupational qualifications, whether or not the institution is subject to the jurisdiction of the Arkansas Higher Education Coordinating Board under § 6-61-301;

(B) "School" also means any firm, partnership, association, corporation, or other form of business organization which offers instruction in flight or ground school to student fliers or mechanics;

(C) "School" also means any firm, partnership, association, corporation, or other form of business organization which offers training as preparation for passing exams which may lead to employment;

(D) "School" also means any firm, partnership, association, corporation, or other form of business organization which offers driver education training excluding those courses taught motor vehicle violators pursuant to court order; and

(12) "Student", "enrollee", "trainee", or "pupil" means a person seeking to enroll, or who has been enrolled, or who is sought for enrollment, or is seeking training or instruction, in a school as defined in this subchapter.

History. Acts 1983, No. 770, § 2; A.S.A. 1947, § 80-4302; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 2003, No. 1781, §§ 1, 2.

Amendments. The 2003 amendment inserted “the jurisdiction of the State Board of Higher Education under” in

(2)(A); added “excluding those courses taught motor vehicle violators pursuant to court order” at the end of (2)(D); substituted “distance education” for “correspondence” in (8) and (9); and deleted “specialized” following “the school whereby a” in (10).

6-51-603. Exemptions.

The following are exempt from licensure under this subchapter:

(1) Private institutions exclusively offering instruction at any or all levels from preschool through twelfth grade;

(2) Schools established by laws of Arkansas, governed by Arkansas boards, and permitted to operate for the sole purpose of providing specific training normally required to qualify persons for occupational licensure by state boards or commissions, which determine education and other standards for licensure and operation of such schools;

(3) State colleges and universities coordinated by the Arkansas Higher Education Coordinating Board;

(4) Programs of study offered by institutions or individuals for personal improvement, avocational or recreational, if designated through media or other sources, as not for the purpose of enhancing an occupational objective;

(5) Schools operated solely to provide programs of study in theology, divinity, religious education, and ministerial training;

(6) A training program offered or sponsored by an employer for training and preparation of its own employees and for which no tuition fee is charged the employee;

(7) A program of study sponsored by a recognized trade, business, or professional organization for instruction of the members of the organization with a closed membership and for which no fee is charged the member;

(8) A school or educational institution supported by state or local government taxation;

(9) Flight instructors licensed under appropriate Federal Aviation Administration regulations and offering only training for a private pilot's license;

(10) Schools covered by § 6-61-301(a)(3) and exempted from § 6-61-101 et seq.;

(11) Training offered by other Arkansas state agencies, boards, or commissions; and

(12)(A) Training offered on military bases where a majority of the students enrolled are active duty personnel or their adult family members, United States Department of Defense civilian employees or their adult family members, members of the United States Armed Forces reserve components, and retirees.

(B) These organizations shall remain exempt from the requirement for licensure if required to move off the military installation for a period of not more than ninety (90) days because of a change in

security level which would not allow civilian students on the installation.

(C) The board shall have the authority to review any situations that extend past the ninety-day period and determine whether the exemption status should remain for the school.

History. Acts 1983, No. 770, §§ 1, 2; A.S.A. 1947, §§ 80-4301, 80-4302; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 2003, No. 1781, § 3.

Amendments. The 2003 amendment rewrote (12).

CASE NOTES

Cited: Burrow v. State, 282 Ark. 479, 669 S.W.2d 441 (1984).

6-51-604. Notice of possible violations — Responses — Injunctions.

(a) Whenever the State Board of Private Career Education or director acting for the board has probable cause to believe that a person, agent, group, or entity has committed any acts that would be in violation of this subchapter such as fraud, misrepresentation, or unethical practices, the board or director acting for the board shall first give notice in writing by certified mail or in person to the agency or entity affected.

(b) The person, agent, or entity will have ten (10) days in which to respond to the notice of violation, unless the board or the director acting for the board deems an emergency exists, in which case the entity will have up to twenty-four (24) hours in which to respond.

(c)(1) If action on the part of the person, agent, or entity in response to a notice is to seek to eliminate the violation, a further extension of time may be granted by the director acting for the board.

(2) Otherwise, the board may order a cease and desist of such acts after a formal hearing, or the board or the director shall have the duty to request the Attorney General or district prosecuting attorney in the county where the offense was committed to seek in a court of competent jurisdiction an injunction restraining the commission of such acts.

History. Acts 1983, No. 770, § 13; A.S.A. 1947, § 80-4313; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1.

6-51-605. State Board of Private Career Education.

(a)(1) The Governor shall appoint a board of seven (7) members who shall serve for terms of seven (7) years. The Governor shall make appointments or reappointments to the board to provide membership of three (3) persons associated with schools and four (4) persons from the general public.

(2) The Director of the Department of Higher Education and the Director of the Department of Workforce Education or their designees shall serve as nonvoting, ex officio members of the State Board of Private Career Education.

(b) The board:

(1) Shall have the power to elect the necessary officers, acting by and through the director;

(2) Shall have the sole authority to:

(A) Approve all schools offering programs of study leading to or enhancing an occupational objective;

(B) Administer and enforce this subchapter; and

(C) Issue licenses to schools which have met the standards set forth for the purposes of this subchapter by the board, including, but not limited to, programs of study, adequate facilities, financial stability, qualified personnel, and legitimate operating practices.

(c) Upon approval by the board, any such school may issue certificates or diplomas.

(d) The board, acting by and through the director, shall:

(1) Formulate the criteria and the standards evolved for the approval of such licensed schools;

(2) Provide for adequate investigation of all schools applying for a license;

(3) Issue licenses to those applicants meeting the standards fixed by the board; and

(4) Maintain a list of schools approved under the provisions of this subchapter.

(e) The board, acting by and through the director, shall formulate the standards evolved thereunder for the approval of admissions representatives of such licensed schools and issue licenses to those applicants meeting the standards fixed by the board.

(f) The board shall promulgate standards, rules, and regulations to be prescribed for the administration of this subchapter and the management and operation of the schools and admissions representatives, subject to the provisions of this subchapter.

(g) The board shall participate in the hearings provided schools and admissions representatives in cases of revocation or denial of licensure.

(h) Official meetings of the board may be called by the chair as necessary, but meetings shall be held at least four (4) times a year.

(i) A majority of favorable votes by the board members at an official meeting is required for adoption of a recommendation.

(j) Board members may be reimbursed for expenses in accordance with § 25-16-901 and stipends according to § 25-16-903.

(k) The board may adopt and use a seal, which may be used for the authentication of the acts of the board.

(l)(1) The board shall employ a director who reports to the board.

(2) Provisions will be made for a retirement plan for the staff with a state contribution and board-approved investment option in the same manner as is provided in § 24-7-901 et seq.

(m)(1) The board shall annually require background investigations for all partners or shareholders with ten percent (10%) or more ownership interest in a school when the school seeks an original license.

(2) The board may establish a schedule for periodic background checks for partners or shareholders with ten percent (10%) or more ownership interest in a school when seeking renewal of a school license.

(n)(1) The partners or shareholders shall apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation.

(2) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(3) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(4) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the person in the commission of any offense listed in § 6-51-606(h)(3).

(5)(A) The board may issue a nonrenewable temporary license pending the results of the criminal background check.

(B) The license shall be valid for no more than six (6) months.

(C) Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that only one (1) of the partners or shareholders of the school holding the license has been convicted of any offense listed in § 6-51-606(h)(3), the board shall revoke the license.

(o)(1) The provisions of § 6-51-606(h) may be waived by the board upon the request of:

(A) An affected applicant for licensure; or

(B) The partners or shareholders of a school holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

(A) The age at which the crime was committed;

(B) The circumstances surrounding the crime;

(C) The length of time since the crime;

(D) Subsequent work history;

(E) Employment references;

(F) Character references; and

(G) Other evidence demonstrating that the applicant does not pose a threat.

(p)(1) Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by:

(A) The affected applicant for licensure or his or her authorized representative; or

(B) The person whose license is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

(q) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

(r) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the background check required by this section.

(s) The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

History. Acts 1983, No. 770, § 3; A.S.A. 1947, § 80-4303; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 1997, No. 250, § 24; 2003, No. 1781, §§ 4-6.

Amendments. The 2003 amendment substituted “majority of” for “minimum of

four (4)” in (i); substituted “and stipends according to § 25-16-903” for “et seq.” in (j); rewrote former (m) as present (m) and (n); and added (o)-(s).

Cross References. Compensation of state boards, § 25-16-901 et seq.

CASE NOTES

Accreditation of Schools.

Real Estate Commission could not regulate business schools training brokers since State Board of Education had sole authority to approve all schools offering

courses below college level leading to an occupational objective. *Gelly v. West*, 253 Ark. 373, 486 S.W.2d 31 (1972) (decision under prior law).

6-51-606. School license generally.

(a) No persons shall operate, conduct, maintain, or offer to operate in this state a school as defined in this subchapter, or solicit the enrollment of students residing in the state, unless a license is first secured from the State Board of Private Career Education issued in accordance with the provisions of this subchapter and the rules and regulations promulgated by the board.

(b)(1) Application for a license shall be filed in the manner and upon the forms prescribed and furnished by the director for that purpose.

(2) The application shall be signed by the applicant and properly verified and shall contain such information as may apply to the type and kind of school, satellite school, or extension course site for which a license is sought.

(c)(1) Any license issued shall be restricted to the programs of study specifically indicated in the application for a license.

(2) The holder of a license shall present a supplementary application for approval of additional programs of study.

(d) The license shall remain the property of the State of Arkansas and shall be returned to the director upon cause.

(e) If the board, acting by and through the director, after evaluating the school as to kind and type, is unable to make a determination regarding initial approval of a licensure application within sixty (60) days of receipt of the application and required documentation, it shall issue a temporary license valid for a period of not more than six (6)

months, pending an investigation. If the investigation of the school does not reveal anything justifying revoking, or denying reissue, of the temporary license, a license will be issued that will continue in force until the time of such expiration as a regular license.

(f) After a license is issued to any school by the board on the basis of its application, it shall be the responsibility of the school to notify immediately the board of any changes in the ownership, administration, location, faculty, or programs of study on the forms and in the manner prescribed by the board.

(g) In the event of the sale of such school, the license granted to the original owner or operators shall not be transferable to the new ownership or operators, but application for a new license must be made and approved prior to the new ownership's taking over operation of the school.

(h) The board shall have the power to deny issuing a new or renewal license, to revoke an existing license, or to place a licensee on probation, if in its discretion it determines that:

(1) The licensee has violated any of the provisions of this subchapter or any of the rules and regulations of the board;

(2) The applicant or licensee has knowingly presented to the board incomplete or misleading information relating to licensure;

(3) The applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty in a criminal proceeding, regardless of whether or not the adjudication of guilt or sentence is withheld, deferred, or suspended by a court of this state, another state, or the federal government of:

(A) Any felony; or

(B) Any act involving moral turpitude, gross immorality, or which is related to the qualifications, functions, and duties of a licensee;

(4) The applicant or licensee has intentionally failed or refused to permit the board or its representatives to inspect the school or classes or has intentionally failed or refused to make available to the board, at any time when requested to do so, full information pertaining to any or all items of information contained in an application for license or pertaining to the operation of the school;

(5) The applicant has failed or refused to submit to the board an application for license or renewal in the manner and on the forms prescribed;

(6) A licensed admissions representative has failed or refused to display or produce his or her license when requested to do so by prospective students or designated officials of the board;

(7) The applicant or licensee has failed to provide or maintain premises, equipment, materials, supplies, or conditions in accordance with minimum standards as established by rules and regulations;

(8) The licensee has been found by the board or a court of law to have perpetrated fraud or deceit in advertising of the school or programs of study or in presenting to prospective students information relating to the school, programs of study, employment opportunities, or opportunities for enrollment in institutions of higher education;

(9) The licensee has in its employ admissions representatives who have not been licensed but are actively engaged in the practice of attempting to enroll students;

(10) The licensee has failed to provide and maintain standards of instruction or qualified administrative, supervisory, or instructional staff as established by rules and regulations;

(11) The applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain the school or classes;

(12) The licensee has moved the school into new premises or facilities without first notifying the director;

(13) The licensee has offered training or instruction in programs of study which have not been approved and authorized in accordance with rules and regulations;

(14) A licensed admissions representative has solicited prospective students to enroll in a school which has not been licensed by the board or which is not listed on his or her license;

(15) There was a change in the ownership of the school without proper notification to and approval from the board;

(16) The licensee has failed to notify the director or to provide written documentation as to the cause that the license of a school has been suspended or revoked or the school has been placed on probation or a show cause issued in another state or by another regulatory agency;

(17) The licensee has failed to notify the director of legal actions initiated by or against the school; or

(18) The licensee fails to make tuition refunds to the students or their lenders in compliance with current regulations.

(i) The board shall have the power to revoke a license if in its discretion it determines that:

(1) The licensee has failed to cure a deficiency leading to a license probation within the time as may be reasonably prescribed by the board;

(2) The licensee while on probation has been found by the board to have incurred an additional infraction of this subchapter; or

(3) The licensee has closed a school without first having completed the training of all students currently enrolled or having made tuition refunds to students or their lenders.

(j) The board may impose sanctions pursuant to § 25-15-217.

(k)(1) Unless directed to do so by court order, the board shall not, for a period of five (5) years following revocation, reinstate the license of a school or allow an owner of any such school to seek licensure of another school.

(2) Upon expiration of licensure status, the school must apply for an original license in accordance with the provisions of this subchapter.

(l)(1) Upon closure of a school located in Arkansas and licensed under any provision of this subchapter, whether for license revocation or any other cause, all student financial aid records for the previous three (3)

years and all student transcripts regardless of age must be delivered to the director.

(2) Delivered records shall be arranged in alphabetical order and stored in boxes or in data format at the discretion of the board.

(3) The director shall be responsible for the proper security, storage, and maintenance of all such records.

History. Acts 1983, No. 770, § 5; A.S.A. 1947, § 80-4305; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 2003, No. 1781, §§ 7, 8.

Publisher's Notes. This section was formerly codified as § 6-51-607.

Amendments. The 2003 amendment rewrote (h)(3); inserted present (j); reded-

ignated former (j) and (k) as present (k) and (l); deleted former (l); in present (l)(1), substituted "three (3) years and all student transcripts regardless of age" for "ten (10) years of the school's operation"; and inserted "or in data format at the discretion of the board" in present (l)(2).

6-51-607. Private Career School Student Protection Trust Fund.

(a)(1) Each school licensed under this subchapter shall pay annually a fee to be set by the State Board of Private Career Education.

(2) The fee shall be set at such amount as the board deems necessary to establish the Private Career School Student Protection Trust Fund and to maintain the Private Career School Student Protection Trust Fund as necessary.

(3) For a renewing school, the fee shall be based on the enrollment of Arkansas residents in the preceding twelve (12) months of July 1 through June 30.

(4)(A) For an original license, the fee shall be a percentage as determined by the board of the sum of the tuitions for each program offered.

(B) Additionally, during the first twelve (12) months of licensure, the same percentage shall be paid to the Private Career School Student Protection Trust Fund on additional new programs of study.

(b) The fee will be deposited in a trust fund in the State Treasury to be called the Private Career School Student Protection Trust Fund.

(c) The fee will not be levied if, on May 30 of any year, the balance of the Private Career School Student Protection Trust Fund exceeds five hundred thousand dollars (\$500,000). However, regardless of the balance in the Private Career School Student Protection Trust Fund, a fee, as set by the board, will be assessed newly licensed schools. Newly licensed schools will pay for a number of years equal to the number of years paid by schools licensed on September 1, 1989.

(d) The assets of the Private Career School Student Protection Trust Fund may be invested and reinvested as the board may determine. Any interest income or dividends from the investment of the fund shall be credited to the Private Career School Student Protection Trust Fund.

(e) With the approval of the board, the Director of the State Board of Private Career Education may use any amounts in the Private Career School Student Protection Trust Fund, including accumulated interest, to:

(1) Pay claims filed by students not to exceed a total of one hundred thousand dollars (\$100,000) for all students of the school when a school becomes insolvent or ceases to operate without offering a complete program of study;

(2) Pay expenses incurred by a school not to exceed a total of one hundred thousand dollars (\$100,000) that are directly related to educating a student placed in the school under this subchapter, including the applicable tuition for the period of time for which the student has paid tuition;

(3) Reimburse the Private Career Education Fund for expenses directly associated with the storage and maintenance of academic and financial aid records of those students adversely affected by school closings;

(4)(A) Reimburse the Private Career Education Fund for administrative cost due to school closings, including, but not limited to:

- (i) Travel expenses; and
- (ii) The employment of temporary personnel to assist with transport and organization of student records.

(B) Provided further, that reimbursement for the expenses incurred in subdivision (e)(4)(A) of this section shall not exceed five thousand dollars (\$5,000) per school closing.

(f) Any amounts in the fund above the required five hundred thousand dollars (\$500,000) may be used with the approval of the board to:

(1) Fund educational seminars and other forms of educational projects for the use and benefit of licensed school administrators, faculty, staff, or admissions representatives;

(2) Provide for travel expenses and registration fees to send staff or board members to accrediting meetings, seminars, or meetings relating to the school sector; or

(3) Provide staff assistance.

(g)(1) If a school closes, the director shall attempt to place each student of the school in another school.

(2) If the student cannot be placed in another school, the student's tuition for which education has not been received may be refunded on a pro rata basis in the manner prescribed by the board.

(3) If another school assumes responsibility for the closed school's students with no significant changes in the quality of training, a student is not entitled to a refund under this section.

(4) Attorneys' fees, court costs, or damages may not be paid from the Private Career School Student Protection Trust Fund.

History. Acts 1989, No. 906, § 1; 1995, No. 367, § 1; 1995, No. 1213, § 1; 2003, No. 1781, §§ 9, 10.

Publisher's Notes. Former § 6-51-607 was renumbered as § 6-51-606 by Acts 1989, No. 906.

Amendments. The 2003 amendment

rewrote (a); substituted "Director of the State Board of Private Career Education" for "director" in (e); and inserted "not to exceed a total of one hundred thousand dollars (\$100,000) in (e)(1) and (2).

Cross References. Private Career Education Fund, § 19-6-462.

6-51-608. Extension course sites and satellite schools — Additional school license.

(a)(1) Any school licensed under this subchapter shall make application to the State Board of Private Career Education to offer a course or courses at an extension course site or satellite school.

(2) The school shall submit a separate additional license fee with the licensure application for each extension course site or satellite school.

(3) The courses, facilities, faculty, and all other operations of the extension course site or satellite school must meet minimum standards as established by rules and regulations.

(b) The school will be assessed a fee as set by the board to be deposited in the Private Career School Student Protection Trust Fund.

History. Acts 1983, No. 770, § 5; **Publisher's Notes.** This section was A.S.A. 1947, § 80-4305; Acts 1989, No. formerly codified as § 6-51-609. 906, § 1; 1995, No. 1213, § 1.

6-51-609. Admissions representatives' licenses — Generally.

(a)(1) No person representing a resident, distance education, or combination school shall solicit or sell in Arkansas any program of study for consideration or remuneration unless the admissions representative first secures a license from the Director of the State Board of Private Career Education.

(2) A license issued by the director shall be subject to ratification by the State Board of Private Career Education.

(b)(1) The license shall be on a form of such size as to be displayed for examination by each prospective student contacted by the admissions representative for enrollment or recruitment purposes.

(2) The license shall bear a recent photograph of the admissions representative, the admissions representative's name, the name and address of the licensed school to be represented, and the valid period of the admissions representative's license which will indicate the expiration date.

(c)(1) An admissions representative's license shall be automatically cancelled when the license of the school represented by the admissions representative is suspended or revoked for any reason, or the school closes.

(2) The license shall be endorsed by the chair of the board. The license shall remain the property of the State of Arkansas and shall be returned to the director upon cause.

(d) An applicant for an admissions representative's license must:

(1) Be at least eighteen (18) years of age;

(2) Be a high school graduate or hold a graduate equivalent degree;

(3) Not have been convicted in any jurisdiction of a felony, Class A misdemeanor, or a crime involving an act of violence for which a pardon has not been granted;

(4) Be a citizen of the United States;

(5) Not have been discharged from the armed services of the United States under other than honorable conditions; and

(6) Be in compliance with any other reasonable qualifications that the board may fix by rule.

(e)(1) An applicant for an admissions representative's license shall apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation.

(2) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(3) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(4) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward all information obtained concerning the person in the commission of any felony, Class A misdemeanor, or a crime involving an act of violence for which a pardon has not been granted.

(f)(1)(A) The board may issue a nonrenewable temporary license pending the results of the criminal background check.

(B) The temporary license shall be valid for no more than six (6) months.

(2) Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding the temporary license has been convicted of a felony, Class A misdemeanor, or a crime involving an act of violence for which a pardon has not been granted, the board shall immediately revoke the temporary license.

(g)(1) The provisions of subdivision (d)(3) of this section may be waived by the board upon the request of:

(A) An affected applicant for licensure; or

(B) The person holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

(A) The age at which the crime was committed;

(B) The circumstances surrounding the crime;

(C) The length of time since the crime;

(D) Subsequent work history;

(E) Employment references;

(F) Character references; and

(G) Other evidence demonstrating that the applicant does not pose a threat.

(h)(1) Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by:

(A) The affected applicant for licensure or his or her authorized representative; or

(B) The person whose license is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

(i) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

(j) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the background check required by this section.

(k) The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

History. Acts 1983, No. 770, § 6; A.S.A. 1947, § 80-4306; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 2003, No. 1781, §§ 11-13.

Publisher's Notes. This section was formerly codified as § 6-51-610. Former § 6-51-609 was renumbered as § 6-51-

608 by Acts 1989, No. 906.

Amendments. The 2003 amendment substituted "distance education" for "correspondence" and "Director of the State Board of Private Career Education" for "director" in (a)(i); rewrote (e); and added (f)-(k).

6-51-610. Fees.

(a) The State Board of Private Career Education shall set fees for schools and admissions representatives.

(b) The fees collected under this subchapter, except fees collected for the Private Career School Student Protection Trust Fund, shall be deposited in the State Treasury as special revenues credited to the Private Career Education Fund.

(c) No license fee shall be refunded in the event of a school or an admissions representative's license suspension, revocation, denial, or request for withdrawal of an application by a school.

History. Acts 1983, No. 770, § 7; A.S.A. 1947, § 80-4307; Acts 1989, No. 906, § 1; 1995, No. 1213, § 1.

Publisher's Notes. This section was formerly codified as § 6-51-611. Former

§ 6-51-610 was renumbered as § 6-51-609 by Acts 1989, No. 906.

Cross References. Private Career Education Fund, § 19-6-462.

6-51-611. License renewal.

(a) Licenses shall be renewable annually.

(b) The licensing period shall be determined by the State Board of Private Career Education.

(c)(1) Application for renewal of a school license is to be provided in the form and manner prescribed by the board.

(2) The school and its programs of study, facilities, faculty, and all other operations must meet the minimum standards as established by rules and regulations.

(d) An application for renewal of an admissions representative's license shall be made on the forms and in the manner prescribed by the board.

History. Acts 1983, No. 770, § 7; formerly codified as § 6-51-612. Former A.S.A. 1947, § 80-4307; Acts 1989, No. § 6-51-611 was renumbered as § 6-51-906, § 1; 1995, No. 1213, § 1. 610 by Acts 1989, No. 906.

Publisher's Notes. This section was

6-51-612. Penalty for operating school without license.

(a) Any person, admissions representative, each member of any association of persons, or each officer of any corporation who opens and conducts a school, satellite school, or extension course site, as defined in this subchapter, or an out-of-state school which offers to sell a program of study in Arkansas, without first having obtained a license required in this subchapter, shall be guilty of a misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) or thirty (30) days' imprisonment, or both, at the discretion of the court.

(b) Each day said school continues to be open and operate shall constitute a separate offense.

History. Acts 1983, No. 770, § 9; formerly codified as § 6-51-613. Former A.S.A. 1947, § 80-4309; Acts 1989, No. § 6-51-612 was renumbered as § 6-51-906, § 1; 1995, No. 1213, § 1. 611 by Acts 1989, No. 906.

Publisher's Notes. This section was

CASE NOTES

In General.

The Director of the State Board of Private Career Education knew or at the very least should have known that certain material statements in her affidavit for plaintiff's arrest for violating this section were

false; therefore, in her individual capacity she did not enjoy immunity from plaintiff's suit or liability thereon under 42 U.S.C. § 1983. *Burk v. Beene*, 948 F.2d 489 (8th Cir. 1991).

6-51-613. Contracts and promissory notes of unlicensed schools void — Recovery of tuition.

(a) All contracts entered into with students or prospective students by schools, satellite schools, extension course sites, or admissions representatives as defined in this subchapter, and all promissory notes or other evidence of indebtedness taken in lieu of cash payments by such schools, shall be null and void unless the schools and admissions representatives are licensed at the time such evidence of indebtedness is entered into as required by this subchapter.

(b) Any person shall have the right to recover moneys paid for enrollment in such unlicensed school by petition to the circuit court from the district in which such person resides; provided that, upon recommendation of the director, the Attorney General may file, on behalf of Arkansas residents contracting with any unlicensed school, an action to recover any tuition funds paid by Arkansas residents to any unlicensed school, which recovery, after costs of litigation, shall be held for the use and benefit of persons having paid such moneys.

History. Acts 1983, No. 770, § 10; formerly codified as § 6-51-614. Former A.S.A. 1947, § 80-4310; Acts 1989, No. § 6-51-613 was renumbered as § 6-51-906, § 1; 1995, No. 1213, § 1. 612 by Acts 1989, No. 906.

Publisher's Notes. This section was

6-51-614. Denial, probation, or revocation of school license — Review.

(a) The State Board of Private Career Education, acting by and through the director, shall have the authority to refuse to issue a school license, to place on probation, or to revoke a school license theretofore.

(b) Any school dissatisfied with the decision to refuse to license, to revoke, or to suspend a license may seek judicial review, provided the school files notice of appeal in Pulaski County Circuit Court within fifteen (15) calendar days immediately following the date of notification of this action by the director.

History. Acts 1983, No. 770, § 7; formerly codified as § 6-51-615. Former A.S.A. 1947, § 80-4307; Acts 1989, No. § 6-51-614 was renumbered as § 6-51-906, § 1; 1995, No. 1213, § 1. 613 by Acts 1989, No. 906.

Publisher's Notes. This section was

6-51-615. Denial or suspension of admissions representative's license — Review — Penalty.

(a) No person shall be granted an admissions representative's license if, upon investigation, the applicant is found not to meet the requirements for an admissions representative under this subchapter.

(b) The director, upon receipt of information considered dependable which indicates fraud, misrepresentation, or unethical practices on the part of an applicant, may deny issuance of a license applied for or may suspend immediately a license already issued pending a review by the State Board of Private Career Education.

(c) Any applicant dissatisfied with the decision to refuse, suspend, or revoke a license may seek judicial review, provided the applicant files notice of appeal in Pulaski County Circuit Court within fifteen (15) calendar days immediately following the date of notification of action by the director.

(d) Any person violating the provisions of this subchapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than five hundred dollars (\$500) or be imprisoned in the county jail for not more than three (3) months, or both.

History. Acts 1983, No. 770, §§ 11, 12; formerly codified as § 6-51-616. Former A.S.A. 1947, §§ 80-4311, 80-4312; Acts § 6-51-615 was renumbered as § 6-51-1989, No. 906, § 1; 1995, No. 1213, § 1. 614 by Acts 1989, No. 906.

Publisher's Notes. This section was

6-51-616. Student grievance procedure.

(a) Any student may file a written complaint with the director on the forms prescribed and furnished by the director for that purpose if the

student has reason to believe he or she is suffering loss or damage resulting from:

(1) The failure of a school to perform agreements made with the student; or

(2) An admissions representative's misrepresentations in enrolling the student.

(b) All complaints shall be investigated, and attempts shall be made to resolve them informally. If an informal resolution cannot be achieved, the aggrieved party may request a formal hearing to be held before the Private Career Education Arbitration Panel.

(c) The aggrieved party may not pursue arbitration before the arbitration panel if legal action has been filed.

(d) The request for arbitration must be in writing and filed with the director within one (1) year of completion of, or withdrawal from, the school.

(e) The written request for arbitration must name the parties involved and specific facts giving rise to the dispute.

(f) The ruling of the arbitration panel shall be binding upon the parties.

History. Acts 1989, No. 906, § 1; 1989 (3rd Ex. Sess.), No. 51, § 1; 1995, No. 1213, § 1; 2003, No. 1781, § 14.

was renumbered as § 6-51-615 by Acts 1989, No. 906.

Amendments. The 2003 amendment repealed (g).

Publisher's Notes. Former § 6-51-616

6-51-617. Private Career Education Arbitration Panel.

(a) The Private Career Education Arbitration Panel as referenced in this section shall represent the sole authority to resolve disputes between a student and schools as to grievances relating to:

(1) The failure of the school to perform agreements made with the student; or

(2) An admissions representative's misrepresentations in enrolling the student.

(b)(1) The State Board of Private Career Education shall appoint the arbitration panel, which shall be composed of three (3) members. One (1) member shall be from the school sector, and two (2) members shall be from the general public.

(2) No member of the arbitration panel may serve for hearings which involve the member's school.

(c)(1) In resolving disputes, the arbitration panel shall be exempt from judicial redress for failure to exercise skill or care in the performance of its duties.

(2) The arbitration proceeding, confirmation, or vacation of an award and appeal shall be conducted pursuant to the Uniform Arbitration Act, §§ 16-108-201 et seq.

History. Acts 1989, No. 906, § 1; 1995, No. 1213, § 1; 2003, No. 1781, § 15.

Amendments. The 2003 amendment rewrote (c).

6-51-618. Fines.

(a) Whenever the State Board of Private Career Education finds that a school is guilty of a violation of this subchapter or the rules and regulations of the board, it shall have the power and authority to impose a penalty on the school.

(b) Prior to the imposition of any penalty, the board shall hold an investigation and hearing after notice to the school.

(c)(1) Upon imposition of a penalty, the board shall have the power and authority to require that the school pay a penalty to the board with regard to the violation, with the sanction that the license may be suspended until the penalty is paid.

(2) No penalty imposed by the board may exceed five hundred dollars (\$500) per violation.

(d) Any school dissatisfied with the penalties imposed may seek judicial review, provided the school files notice of appeal in Pulaski County Circuit Court within fifteen (15) calendar days immediately following the date of notification of this action by the director.

(e) The power and authority of the board to impose these penalties shall not be affected by any other civil or criminal proceeding concerning the same violation.

History. Acts 1995, No. 1213, § 1; substituted “five hundred dollars (\$500)”
2003, No. 1781, § 16. for “one thousand dollars (\$1,000)” in

Amendments. The 2003 amendment (c)(2).

6-51-619. Subpoenas and subpoenas duces tecum.

(a) The State Board of Private Career Education shall have the power to issue subpoenas and subpoenas duces tecum in connection with both its investigations and hearings.

(b) A subpoena duces tecum may require any book, writing, document, or other paper or thing which is germane to an investigation or hearing conducted by the board.

(c)(1) Service of a subpoena shall be as provided by law for the service of subpoenas in civil cases in the circuit courts of this state, and the fees and mileage of officers serving the subpoenas and of witnesses appearing in answer to the subpoenas shall be the same as provided by law for proceedings in civil cases in the circuit courts of this state.

(2)(A) The board shall issue a subpoena or subpoena duces tecum upon the request of any party to a hearing before the board.

(B) The fees and mileage of the officers serving the subpoena, and of the witness shall be paid by the party at whose request a witness is subpoenaed.

(d)(1) In the event a person shall have been served with a subpoena or subpoena duces tecum as provided in this section and fails to comply therewith, the board may apply to the circuit court of the county in which the board is conducting its investigation or hearing for an order causing the arrest of the person and directing that the person be brought before the court.

(2) The court shall have the power to punish the disobedient person for contempt as provided by law in the trial of civil cases in the circuit courts of this state.

History. Acts 1995, No. 1213, § 1.

6-51-620. Bond.

(a)(1) Each school licensed under this subchapter shall maintain a surety bond during its licensure.

(2) The surety bond shall be submitted to the State Board of Private Career Education on or before the expiration date of the bond.

(3) The bond shall be for the period during which the license is issued.

(4)(A) The surety bond shall be conditioned to provide indemnification to any student or enrollee who suffers loss or damage as a result of:

(i) A violation of a provision of this subchapter or any rule or regulation of this board by the school or its officers, admissions representatives, or employees; or

(ii) The failure or neglect of the school to faithfully perform all agreements, express or otherwise, with the student, enrollee, one (1) or both of the parents of the student or enrollee, or a guardian of the student or enrollee, as represented by the application for licensure and the materials submitted in support of that application; or

(iii) An admissions representative's misrepresentation in procuring the student's enrollment.

(B)(i) A surety on that bond may be released after the surety has made a written notice of at least thirty (30) days before the release.

(ii) However, a surety may not be released from the bond unless all sureties on the bond are released.

(C)(i) The license shall be suspended when that school is no longer covered by a surety bond meeting the required amount.

(ii) The board shall notify the school in writing at least ten (10) days prior to release of the surety or sureties that the license is suspended until another surety bond is filed in the manner and amount required under this chapter.

(5)(A) The bond shall be based on gross tuition, meaning the total amount collected by a school during the most recently completed twelve-month fiscal year, reduced only by the amount of refunds paid during the fiscal year, for tuition, application fees, registration fees, and those other fees deemed appropriate by rule and regulation of the board;

(B) Provided, however, that, for a school located outside of this state which is authorized to recruit in this state, "gross tuition" means only the amount of such tuition and fees collected from residents of this state.

(6) The board shall determine the sum of each surety bond based upon the following guidelines:

(A) Except as provided in subdivisions (a)(6)(B) and (C) of this section, a school shall procure and maintain a bond equal to ten percent (10%) of the gross tuition with a minimum bond amount of five thousand dollars (\$5,000) with the maximum bond amount to be determined by the board.

(B) Schools that have no gross tuition charges assessed for the previous year shall secure and maintain a surety bond in the amount of ten thousand dollars (\$10,000).

(C) Schools that have a total cost per program of three thousand dollars (\$3,000) or less shall not be required to have a bond.

(7) The bond shall be a surety bond issued by a company authorized to do business in this state. The bond shall be to the state to be used for payment of a tuition refund due to a student or potential student.

(b) A surety bond is not required for licensees approved by the board on April 10, 1995, and that maintain continuous licensure.

(c) No right of action shall accrue on the surety bond to or for the use of any person or entity other than the obligee named in the bond or the heirs, executors, administrators, or successors of the obligee.

History. Acts 1995, No. 1213, § 1; 2003, No. 1781, §§ 17-19.

Amendments. The 2003 amendment, in (a)(1), substituted “maintain” for “annually submit” and added “during its licensure”; inserted “and maintain” following “shall procure” and substituted “to be determined by the board” for “of seventy-

five thousand dollars (\$75,000)” in (a)(6)(A); substituted “ten thousand dollars (\$10,000)” for “five thousand dollars (\$5,000) in (a)(6)(B); substituted “approved by the board on April 10, 1995 and” for “currently approved by the State Board of Private Career Education” in (b); and rewrote (c).

6-51-621. Construction of subchapter.

Nothing in this subchapter shall be construed to affect the responsibilities of the Arkansas Higher Education Coordinating Board as defined in § 6-61-301.

History. Acts 1995, No. 1213, § 2.

6-51-622. Noncommercial driver training instruction.

(a) Any person teaching or instructing persons under the age of eighteen (18) to drive a noncommercial motor vehicle shall offer the minimum amount of driver training to those student drivers as prescribed by this section.

(b) The minimum requirements for classroom driver training instruction for noncommercial motor vehicles shall consist of:

(1) Thirty (30) hours or more of classroom instruction on driving techniques and rules of the road in Arkansas, including six (6) hours of classroom instruction on traffic law changes that have occurred within the last ten (10) years; and

(2) Ten (10) hours of behind-the-wheel driving experience.

(c) The minimum requirements of correspondence programs for driver training instruction for noncommercial motor vehicles shall consist of:

- (1) A maximum of twenty-eight (28) hours of correspondence work;
- (2) A minimum of two (2) hours or more of classroom instruction on driving techniques and rules of the road in Arkansas; and
- (3) Ten (10) hours of behind-the-wheel driving experience.

(d)(1) The State Board of Private Career Education may promulgate reasonable rules and regulations to implement, enforce, and administer this section.

(2) The board's regulations shall be issued in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

History. Acts 2001, No. 1756, § 1.

6-51-623. Defensive driving instruction.

A person shall not be required to obtain a license from the State Board of Private Career Education as a requirement for teaching or providing a course in defensive driving under a court-mandated defensive driving class.

History. Acts 2003, No. 768, § 1.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-51-601 — 6-51-622 may not apply to this section, which was enacted subsequently.

References to "this chapter" in subchapters 1-5, 7-10 and §§ 6-51-601 — 6-51-622 may not apply to this section, which was enacted subsequently.

SUBCHAPTER 7 — ASSOCIATE OF APPLIED SCIENCE DEGREE IN NURSING PROGRAM

SECTION.

6-51-701. Establishment of program.
6-51-702. Nature of program.

SECTION.

6-51-703. Granting of degrees.

Effective Dates. Acts 1989, No. 66, § 4: Feb. 17, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is a shortage of qualified nurses in the state; that the critical health care needs of the people of this state required the immedi-

ate passage of this act. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-51-701. Establishment of program.

(a) The Department of Workforce Education is hereby authorized to establish for the technical institutes or vocational-technical schools of this state an Associate of Applied Science Degree in Nursing Program.

(b)(1) A nursing program shall be established by the department. The nursing program shall be in accordance with the standards established by the Arkansas State Board of Nursing.

(2) The course of instruction shall also be developed in such manner as to be accredited by the national accreditation association of nursing programs. The course of instruction shall allow for not more than twelve (12) semester hours of credit for previous nursing education or for nursing experience. Only a maximum of twenty-five (25) semester hours of credit by "general education" by challenge, the College Level Entrance Examination, shall be allowed.

(3) Students shall complete a transition course if required by the board which is in accordance with standards set by the board.

(c)(1) Any technical institute or vocational-technical school desiring to offer the nursing program may apply for approval to the State Board of Workforce Education and Career Opportunities.

(2) If approval is granted, the school must then seek approval from the Arkansas State Board of Nursing.

(d)(1) The State Board of Workforce Education and Career Opportunities is authorized to promulgate rules and regulations necessary to implement this subchapter.

(2) The rules and regulations shall comply with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(e) Courses of instruction shall be designed to enable the student completing the program to qualify for licensure as a registered nurse upon taking and passing the examination required by the Arkansas State Board of Nursing.

(f)(1) The program of instruction as authorized in this subchapter may be offered to licensed practical nurses or licensed psychiatric technician nurses duly licensed by the Arkansas State Board of Nursing.

(2) For admittance to the nursing program, the nurse must have:

(A) A minimum of two thousand (2,000) total hours of documented work and occupational experience in a health care institution; and

(B) Documentation from an official of a health care institution that the candidate has been an employee for the required length of time.

(3) For purposes of this subsection, a "health care institution" means a hospital, a long-term care facility, a medical doctor's office or clinic, outpatient clinic, residential care facility, any of several state agencies, or employment as a public health, industrial, or school nurse.

History. Acts 1989, No. 66, § 1; 1999, No. 1323, §§ 41, 42.

Amendments. The 1999 amendment, in (a), substituted "Department of Workforce Education" for "Vocational and Tech-

nical Education Division of the Department of Education" and inserted "technical institutes or" preceding "vocational-technical schools"; rewrote (c); and made stylistic changes.

6-51-702. Nature of program.

The licensed practical nurse or licensed psychiatric technician nurse to registered nurse program is an upward-mobility program for licensed

practical nurses or licensed psychiatric technician nurses who have completed one (1) calendar year, or two thousand (2,000) hours minimum, of work in a health care institution. The program of study will lead to the Associate of Applied Science Degree in Nursing.

History. Acts 1989, No. 66, § 1.

6-51-703. Granting of degrees.

The State Board of Workforce Education and Career Opportunities is authorized to grant the degree to students who complete the full course of instruction which entitles them to the degree. The diploma is to be signed by such officials as the board shall designate.

History. Acts 1989, No. 66, § 1.

SUBCHAPTER 8 — COMMUNITY-BASED EDUCATION CENTERS

SECTION.

6-51-801. Criteria for centers.

6-51-802. Policy for centers established by the state board.

6-51-803. Distribution of funds.

6-51-804. Property ownership — Board of school superintendents.

SECTION.

6-51-805. Creation of general advisory council.

6-51-806. Local education agencies — Eligibility for federal funds.

Effective Dates. Acts 1995, No. 1194, § 38: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an

extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

6-51-801. Criteria for centers.

(a) The State Board of Workforce Education and Career Opportunities shall establish criteria that must be met by any secondary vocational center requesting permission to become a community-based education center.

(b) The board shall periodically review and revise, if necessary, the community-based education center criteria. Such centers may include offerings of traditional vocational-technical education during regular school hours, extended day programs so that students may attend the center for vocational instruction after regular school hours, adult basic education or general adult education programs, adult skill training and

retraining for the general population, industry start-up and retraining, and workplace literacy.

(c) Any secondary vocational center which satisfies the criteria established by the board pursuant to this section may, in accordance with procedures to be adopted by the board, seek approval from the board to become a community-based education center. Upon approval by the board of any such application, the school may change its name to _____ Community-Based Education Center.

(d) The secondary area vocational centers which elect to provide enhanced education and training employment or retraining services appropriate to area industry and business needs may request from the board that they be designated as community-based education centers.

History. Acts 1991, No. 228, § 1; 1995, No. 1194, § 16; 1999, No. 1323, § 43. inserted “technical” preceding “education” in (b); and made a stylistic change.

Amendments. The 1999 amendment

6-51-802. Policy for centers established by the state board.

The State Board of Workforce Education and Career Opportunities shall establish policy for community-based education centers in such areas as fees, operating and capital budgets, allocation of funds, instructional programs and related criteria for the operation of community-based education centers, degrees and certificates, and academic and programmatic standards.

History. Acts 1991, No. 228, § 2.

6-51-803. Distribution of funds.

Following publication by the State Board of Workforce Education and Career Opportunities of criteria required to qualify for designation as a community-based education center, local educational agencies may develop a budget proposal for submission to the board for funding consideration. Insofar as possible, the board shall distribute the funds in as equitable a manner as possible while maintaining the best utilization of funds as appropriated by the General Assembly.

History. Acts 1991, No. 228, § 3.

6-51-804. Property ownership — Board of school superintendents.

(a) The board which currently owns the property and capital equipment of any existing community-based education center is authorized to retain ownership of such properties. Provided, however, ownership of such properties may, by vote of the board, be restructured.

(b)(1) Furthermore, the board of the host school is encouraged to create a board composed of superintendents of all schools sending students to the community-based education center.

(2) Such board may act as a governing board for the community-based education center.

(3) Furthermore, such boards are encouraged to have members that are representative of business and industry in the community-based education centers service area.

History. Acts 1991, No. 228, § 5.

6-51-805. Creation of general advisory council.

(a) The State Board of Workforce Education and Career Opportunities shall relate to the community-based education centers as a coordinating board. Furthermore, the governing board of a community-based education center is encouraged to create a general advisory council. Such council shall provide advice on programs of the school, including data that reflects the needs of business and industry served by the community-based education center.

(b) Upon request by the community-based education center, the State Council on Vocational Education shall provide such assistance as may be required to establish a general advisory council.

History. Acts 1991, No. 228, § 4.

6-51-806. Local education agencies — Eligibility for federal funds.

(a) The General Assembly designates that the community-based education centers created by this subchapter meet the definition of “local education agencies” by virtue of the fact that each is a public authority legally constituted within this state to perform a service function for a public elementary and secondary school in school districts and other political subdivisions of the state or such combination of school districts or counties which are recognized by the General Assembly as administrative agents for public elementary and secondary schools.

(b) This section intends to recognize the function of the community-based education centers and to provide eligibility to community-based education centers to receive federal funds.

History. Acts 2001, No. 1290, § 1.

SUBCHAPTER 9 — POSTSECONDARY VOCATIONAL AND TECHNICAL EDUCATION

SECTION.

6-51-901. Purpose.

6-51-902. Accountability measures and performance indicators.

6-51-903. Local board of directors — Members.

6-51-904. Duties of local board for technical institutes.

SECTION.

6-51-905. Technical institutes.

6-51-906. Comprehensive lifelong learning centers.

6-51-907. Expanded associate degrees instruction — College transfer courses.

Effective Dates. Acts 1991, No. 773, § 14: Mar. 26, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the reconstructing of the delivery system of adult education and vocational education in this state is necessary to provide quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business, industry, labor and agriculture to provide every citizen with an opportunity to participate in vocational-technical training and associate degree programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be implemented and comprehensive planning can begin. Therefore, an emergency is hereby de-

clared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 803, § 13: Mar. 25, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that the reorganization of the governmental agencies involved in providing vocational education in this state are immediately in need of improvement; and that this act provides the necessary mechanism for such improvement. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective 30 days after approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective 30 days after the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective 30 days after the date the last house overrides the veto."

6-51-901. Purpose.

It is the purpose of this subchapter to initiate a broad array of legislative authority whose purpose it is to:

- (1) Upgrade the quality and quantity of postsecondary vocational and technical education;
- (2) Permit the expansion of programs leading to associate of applied science degrees; and
- (3) Augment the State Board of Workforce Education and Career Opportunities by increasing its membership that is representative of business and industry, including the service-oriented industries in Arkansas.

History. Acts 1991, No. 773, § 1.

6-51-902. Accountability measures and performance indicators.

(a)(1) All postsecondary vocational-technical schools, technical institutes, and comprehensive lifelong learning centers within the State of Arkansas shall present to the State Board of Workforce Education and Career Opportunities and the Department of Workforce Education a report reflecting a satisfactory level of performance-based system of accountability measures and performance indicators as defined in this section.

(2) The report shall be filed with the board and the department annually.

(b) In order to promote a coordinated system of postsecondary vocational and technical education in Arkansas and to provide an effective delivery system, the board shall:

(1) Review, evaluate, and coordinate budget requests for the institutions in the system; and

(2)(A) Develop a system of accountability measures and performance indicators to be used as the basis for budget requests.

(B) The system of accountability measures and performance indicators shall incorporate, as a minimum, the following:

(i) Student attainment of academic and vocational and technical skill proficiencies;

(ii) Student attainment of a diploma, skill certificate, or recognized postsecondary credential;

(iii) Student placement, retention, and completion of postsecondary or advanced training, employment, or military service;

(iv) Student participation in and completion of programs of non-traditional training and employment;

(v) Cost effectiveness as measured by cost per contact hour of instruction;

(vi) Business and industry services as measured by the number of contact hours of instruction for specific business and industry courses; and

(vii) The degree to which local support has been obtained by the institution as evidenced by private sector cash and in-kind donations; support from local units of government; foundations and other such nonstate sources as may be appropriate.

(c) With the exception of a special funding appropriation, all state funds shall be requested by the board for the technical institutes, postsecondary vocational-technical schools, and comprehensive lifelong learning centers based on a funding formula to be developed and approved by the board and shall be based upon the accountability measures and performance indicators enumerated in this section.

(d) Upon the failure to find that satisfactory progress is being made by the school, the board shall dissolve the operation of the school or convert the school to an adult education center, a secondary vocational center, or other appropriate role and function.

(e) For purposes of standardized reporting and accountability only, the board, after consultation with the Arkansas Higher Education Coordinating Board, shall develop for all postsecondary vocational schools, technical institutes, and comprehensive lifelong learning centers a reporting system for headcount enrollment and full-time-equivalency enrollment which is consistent with policies followed by the coordinating board.

(f) Riverside Vocational and Technical School shall be exempt from all provisions of this subchapter except this section and shall remain a postsecondary vocational-technical school as presently structured under the state board.

History. Acts 1991, No. 773, §§ 7-10; 1999, No. 1158, § 1.

Amendments. The 1999 amendment rewrote this section.

Cross References. Riverside Vocational and Technical School, §§ 12-29-306 — 12-29-310.

6-51-903. Local board of directors — Members.

(a) All postsecondary vocational-technical schools, including those which expand their services under § 6-51-217 or under § 6-51-906 shall be governed by a local board of directors.

(b)(1) The Governor shall appoint a five-member local board of directors composed of residents of the local geographic service area in which the institution is located.

(A) Appointment shall be subject to confirmation by the Senate.

(B) No candidate for public office, holder of public office in the state, or his or her spouse, shall serve as a member of a local board.

(C) Members of the local board shall be qualified electors of the geographic service area in which the institution is located.

(D) Local board appointees shall have a high interest in vocational and technical education, a strong desire and commitment to serve the institution in the improvement of its offerings, and shall be representative of business, industry, labor, and agriculture, including service occupations.

(2) The term of office for local board members shall be five (5) years.

(A) The initial board appointees shall determine their terms by lot so that no more than one (1) term shall expire during any given year.

(B) A local board appointee shall serve no more than two (2) consecutive terms.

(3) When a vacancy occurs in the membership of the board, the president or director of the institution shall so notify the Governor who shall appoint a successor to the person who vacated membership, who shall serve the unexpired term of the person succeeded.

History. Acts 1991, No. 773, § 2.

6-51-904. Duties of local board for technical institutes.

(a) The powers and duties of the local board shall be as follows:

(1) To acquire, hold, and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such other rights and privileges as may be necessary for the management and administration of the technical institute;

(2) To appoint from the candidates certified by the State Board of Workforce Education and Career Opportunities the president of the technical institute or director of the comprehensive lifelong learning center;

(3) To appoint, upon nomination of the president or director, the members of the administrative and teaching staffs;

(4) To determine, with the approval of the state board, the educational program of the institution; and

(5) Other powers and duties as provided in this subchapter or as delegated to it by the state board.

(b) All records, personnel, property, unexpended balances of appropriations, allocations or other funds of the technical institutes and comprehensive lifelong learning centers shall be transferred from the state board to the local boards of directors.

(c) The local board may make rules and regulations not inconsistent with the provisions of this subchapter or inconsistent with the rules and regulations of the state board as are necessary for the proper administration and operation of the institution.

(d) The local board may contract with a nonprofit organization or a local school board within its service area to offer secondary-level general academic and vocational and technical courses and programs, adult literacy courses, or both.

History. Acts 1991, No. 773, § 2; 1997, No. 803, § 9.

6-51-905. Technical institutes.

(a) The technical institute may offer programs which lead to an Associate of Applied Science degree.

(b) Each technical institute shall operate within a service area assigned by the State Board of Workforce Education and Career Opportunities.

(c)(1) The board of directors of the technical institute may contract with existing institutions of higher education for the operation of any associate degree programs offered at the institute.

(2) Such programs must be approved by the Arkansas Higher Education Coordinating Board and may be offered either on-site at the institute or at a satellite location.

(d)(1) Any degree at or above the associate degree level offered at a technical institute or any state-supported postsecondary institution must be approved by the Arkansas Higher Education Coordinating Board.

(2) Those degrees offered at a technical institute must be awarded by an Arkansas higher education institution accredited by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools.

(3) Any such degree program must be offered through the institute's Center for Collegiate Instruction.

(e)(1) The technical institute shall be required to establish a policy that specifically outlines a plan to work with local business, industry, and agriculture to meet technological and training needs.

(A) The plan shall be submitted annually to the local board of directors and the State Board of Workforce Education and Career Opportunities for approval.

(B) The plan shall incorporate a study of local needs, including interviews with local business, industry, and agriculture.

(2)(A) The technical institute shall be required to offer courses to address business, industry, and agricultural needs, and when appropriate, teach the course at those sites.

(B) The technical institute may use adjunct faculty or professors under contract to meet this requirement.

History. Acts 1991, No. 773, § 3.

6-51-906. Comprehensive lifelong learning centers.

(a) Schools not converting to technical institutes as provided by other sections of this subchapter, or community colleges under existing law, shall expand program offerings and become a comprehensive lifelong learning center.

(b) The State Board of Workforce Education and Career Opportunities shall establish criteria and program expansions which would require all remaining postsecondary vocational-technical schools to become comprehensive lifelong learning centers.

(c) When a postsecondary vocational-technical school meets the criteria for becoming a comprehensive lifelong learning center as established by the State Board of Workforce Education and Career Opportunities, the school shall make application to the board seeking that it be designated as such.

(1) Each comprehensive lifelong learning center shall operate within a service area assigned by the State Board of Workforce Education and Career Opportunities.

(2)(A) Each comprehensive lifelong learning center may operate satellite campuses apart from the campus of the main center but within the service area of the center.

(B) The establishment, locations, and number of satellite campuses of a center must be approved by the State Board of Workforce Education and Career Opportunities.

(3) The board of directors of a comprehensive lifelong learning center may contract with existing institutions of higher education for the operation of any associate degree programs offered at the center, upon approval by the State Board of Workforce Education and Career Opportunities and the Arkansas Higher Education Coordinating Board.

(A) Any degree program at or above the associate degree level offered at a comprehensive lifelong learning center must be approved by the Arkansas Higher Education Coordinating Board and awarded by an Arkansas institution of higher education accredited by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools.

(B) Any such degree program must be offered through the center's Center for Collegiate Instruction.

(d)(1) The board shall periodically review the program offerings and curricula of the postsecondary vocational-technical schools to assure that lifelong learning opportunities exist for the population served.

(2) The comprehensive lifelong learning centers shall include offerings of:

(A) Workplace literacy programs consisting of remedial education, including adult basic education and general adult education;

(B) Occupational and technical preparation;

(C) Applied foundation courses in mathematics, science, communications, and technologies;

(D) Customized training and adult retraining programs;

(E) Apprenticeship work-based training programs;

(F) Other relevant education and training which meets the needs of the work force and which prepares the state's citizens for lifelong learning opportunities and a quality life; and

(G) May include courses leading to an associate of applied science degree, upon approval by the Arkansas Higher Education Coordinating Board.

(e)(1) Except as provided in this section, the construction, operation, and maintenance of the comprehensive lifelong learning center shall be financed by the state.

(2) Each comprehensive lifelong learning center, acting through its board, shall have the power to accept and receive gifts, grants, profits from auxiliary enterprises, local millages, and any other local funds to be used as local matching funds for capital outlay expenses of the center.

(3) The comprehensive lifelong learning center shall be required to establish a plan that specifically outlines cooperative efforts with local industries and businesses to meet technological and training needs.

(A) The plan shall be submitted annually to the local board of directors and the State Board of Workforce Education and Career Opportunities for approval.

(B) The plan shall incorporate a study of local needs, including interviews with local business and industry.

(4)(A) The comprehensive lifelong learning center shall be required to offer courses to address industry and business needs and, when appropriate, to teach the course at the business or industry site.

(B) The comprehensive lifelong learning center may use adjunct faculty or professors under contract to meet this requirement.

History. Acts 1991, No. 773, § 4.

6-51-907. Expanded associate degrees instruction — College transfer courses.

(a) Any Arkansas technical institute or comprehensive lifelong learning center desiring to offer college transfer courses or to increase the number of associate of applied science degrees being offered may initiate such college transfer courses or occupational degree programs under the provisions of this section upon approval of the Arkansas Higher Education Coordinating Board.

(b)(1) The Center for Collegiate Instruction, hereinafter called the center, means a legally designated collegiate center on the campus of a technical institute or a comprehensive lifelong learning center.

(2) The center shall be authorized to coordinate and offer college-level courses at such location.

(3) It shall comply with the established accreditation standards of the North Central Association for the umbrella college or university which acts as the sponsor for the center.

(c) Any technical institute or comprehensive lifelong learning center that desires to establish a collegiate center shall be required to enter into a memorandum of understanding with the sponsoring colleges or universities. The guidelines for establishing the memorandum of understanding shall be developed by the Arkansas Higher Education Coordinating Board in conjunction with the State Board of Workforce Education and Career Opportunities.

(d)(1) The associate degree programs to be offered at the center shall be developed by participating institutions and shall meet all the standards for accreditation by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools.

(2) Associate degree programs offered through a center must be approved for implementation by the Arkansas Higher Education Coordinating Board.

(e)(1) Each university or college operating at least one (1) collegiate center shall designate a center director who shall manage the operation of the center and any subsequent satellite units which may be developed at other institutions.

(2) Each technical institute or comprehensive lifelong learning center shall designate a collegiate center coordinator who is to be responsible for the overall coordination of the center and its efficient operation.

History. Acts 1991, No. 773, § 5.

SUBCHAPTER 10 — MODEL VOCATIONAL-TECHNICAL EDUCATION RESOURCE CENTER ACT OF 1993

SECTION.

6-51-1001 — 6-51-1010. [Repealed.]

A.C.R.C. Notes. Acts 2001, No. 415, §§ 1 and 2, provided: "SECTION 1. (a) All of the records, property, unexpended balances of appropriations, allocations, or other funds of the Vocational-Technical Education Resource Center created pursuant to Arkansas Code 6-51-1001 through 6-51-1010 are transferred to the Northeast Arkansas Educational Cooperative. (b) The personnel of the Vocational-Technical Education Resource Center may be given priority for employment by the

Northeast Arkansas Educational Cooperative.

"SECTION 2. EMERGENCY CLAUSE. It is found and determined by the Eighty-third General Assembly that questions have arisen over the use of funds by the Model Vocational-Technical Education Resource Center; that it is currently operating without an approved budget, and it is preventing the proper use of resources which are needed to provide appropriate educational opportunities for the children

of this state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on June 30, 2001."

Effective Dates. Acts 2001, No. 231, § 4: June 30, 2001. Emergency clause provided: "It is found and determined by the General Assembly that questions have arisen regarding the use of funds by the Model Vocational-Technical Education Re-

source Center; that it is currently operating without an approved budget, and its existence is preventing the proper use of resources which are needed to provide appropriate educational opportunities for the children of this state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on June 30, 2001."

6-51-1001 — 6-51-1010. [Repealed.]

Publisher's Notes. This subchapter, concerning the Model Vocational-Technical Education Resource Center Act of 1993, was repealed by Acts 2001, No. 231, § 1. The subchapter was derived from the following sources:

- 6-51-1001. Acts 1993, No. 316, § 1.
- 6-51-1002. Acts 1993, No. 316, § 1.
- 6-51-1003. Acts 1993, No. 316, § 1; 1999, No. 21, § 1.
- 6-51-1004. Acts 1993, No. 316, § 1; 1997, No. 277, § 1; 1999, No. 21, § 2.

6-51-1005. Acts 1993, No. 316, § 1; 1999, No. 21, § 3.

6-51-1006. Acts 1993, No. 316, § 1; 1999, No. 21, § 4.

6-51-1007. Acts 1993, No. 316, § 1.

6-51-1008. Acts 1993, No. 316, § 1; 1999, No. 21, § 5.

6-51-1009. Acts 1993, No. 316, § 1; 1999, No. 21, § 6.

6-51-1010. Acts 1993, No. 316, § 1; 1999, No. 21, § 7.

CHAPTER 52

VOCATIONAL AND TECHNICAL TRAINING

SUBCHAPTER.

1. ARKANSAS REHABILITATION SERVICES.
2. APPRENTICESHIP TRAINING PROGRAMS.

SUBCHAPTER 1 — ARKANSAS REHABILITATION SERVICES

SECTION.

- 6-52-101. Arkansas Rehabilitation Services.
- 6-52-102. Transfer of authority, property, etc.

SECTION.

- 6-52-103. Powers and duties.
- 6-52-104. Eligibility for retirement systems.
- 6-52-105. Office facilities.

Effective Dates. Acts 1993, No. 574, § 13: July 1, 1993: Emergency clause provided: "It is hereby found and determined by the General Assembly that the transfer of the Division of Rehabilitation Services of the Department of Human Services to the Arkansas Rehabilitation Services of the State Board of the Vocational Education, Division of Vocational and Technical

Education will promote the improvement of rehabilitation services to the citizens of this state, that the efficient operation of state government will be promoted by providing the transfer and shall be effective at the beginning of the next fiscal year. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the

public peace, health and safety shall be in full force and effect from and after July 1, 1993.”

6-52-101. Arkansas Rehabilitation Services.

(a) Effective July 1, 1993, Division of Rehabilitation Services of the Department of Human Services is transferred to the Department of Workforce Education and shall be known as the Arkansas Rehabilitation Services. The State Board of Workforce Education and Career Opportunities shall have the same authority and responsibility with respect to the administration and operation of the Arkansas Rehabilitation Services as it has with respect to the Department of Workforce Education.

(b) The policy and scope of the Arkansas Rehabilitation Services shall be to provide increased employment of individuals with disabilities through the provision of individualized training, independent living services, educational and support services, and meaningful opportunities for employment in integrated work settings to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society.

(c) Pursuant to such policy, rehabilitation services shall be provided to citizens throughout the state, and the rehabilitation plan adopted pursuant to this subchapter shall be in effect in all political subdivisions of the state.

History. Acts 1993, No. 574, §§ 1, 2.

6-52-102. Transfer of authority, property, etc.

(a) All authorities and responsibilities defined in § 20-79-201 et seq. shall be administered by the Arkansas Rehabilitation Services under the direction of the State Board of Workforce Education and Career Opportunities, except those transferred to the Division of State Services for the Blind by § 25-10-201 et seq.

(b) Any and all statutory authority, powers, duties, functions, records, authorized positions, property, unexpended balances of appropriations, allocations or other funds transferred from the Division of Rehabilitation Services to the Department of Human Services by § 25-10-102 et seq. are hereby transferred to the Arkansas Rehabilitation Services.

History. Acts 1993, No. 574, §§ 3, 6.

6-52-103. Powers and duties.

The State Board of Workforce and Career Opportunities, through the Arkansas Rehabilitation Services, shall provide the rehabilitation services authorized by this subchapter to eligible physically or mentally

disabled individuals and those who can benefit from independent living services, determined by the agency to be eligible therefor, and, in carrying out the purposes of this subchapter, the Arkansas Rehabilitation Services is authorized, among other things:

(1) To be the sole state agency to supervise and administer the rehabilitation services authorized by this subchapter except such part or parts as may be administered by a local agency in a political subdivision of the state, in which case the service shall be the sole agency to supervise such local agency in the administration of such part or parts; and

(2) To conduct research and compile statistics relative to the provision of services or the need of services of disabled individuals.

History. Acts 1993, No. 574, § 5.

6-52-104. Eligibility for retirement systems.

All employees of the Arkansas Rehabilitation Services as of July 1, 1993, shall be eligible for membership in the Arkansas Public Employees' Retirement System, Arkansas Teacher Retirement System, or alternate retirement systems. Any such employee who desires to change retirement systems must do so within ninety (90) calendar days after July 1, 1993.

History. Acts 1993, No. 574, § 7.

6-52-105. Office facilities.

Arkansas Building Authority shall ensure that all offices of the Arkansas Rehabilitation Services are exemplary models of accessibility and conform to the Americans with Disabilities Act accessibility guidelines.

History. Acts 1993, No. 574, § 9.

U.S. Code. The Americans with Disabilities Act, referred to in this section, is

codified primarily as 42 U.S.C. § 12101 et seq.

SUBCHAPTER 2 — APPRENTICESHIP TRAINING PROGRAMS

SECTION.

- 6-52-201. Definitions.
- 6-52-202. Applicability.
- 6-52-203. Rules.
- 6-52-204. State Apprenticeship Coordina-
tion Steering Committee.
- 6-52-205. State Apprenticeship Coordina-

SECTION.

- tion Steering Committee
— Duties.
- 6-52-206. Recommendations.
- 6-52-207. Training programs generally.
- 6-52-208. Duties of apprenticeship pro-
gram sponsors.

6-52-201. Definitions.

In this subchapter:

(1) "Apprenticeship training programs" means a training program that provides on-the-job training, preparatory instruction, supplemen-

tary instruction, or related instruction in a trade that has been certified as an apprenticeable occupation by the Bureau of Apprenticeship and Training of the United States Department of Labor;

(2) "BAT" means the Bureau of Apprenticeship and Training of the United States Department of Labor;

(3) "Coordination committee" means the State Apprenticeship Coordination Steering Committee;

(4) "Preparatory instruction" means a course of instruction lasting six (6) months or less that teaches the basic skills required for an individual to comply with the terms of his or her apprenticeship agreement as required by § 6-52-207;

(5) "Program sponsor" shall mean any person, association, committee, or organization operating an apprenticeship program and in whose name the program is registered or is in the process of registration by the Bureau of Apprenticeship and Training of the United States Department of Labor;

(6) "Related instruction" means organized off-the-job instruction in theoretical or technical subjects required for the completion of an apprenticeship program for a particular apprenticeable trade;

(7) "Supplementary instruction" means a course of instruction for persons employed as journeymen craftsmen in an apprenticeable trade that is designed to provide new skills or upgrade current skills; and

(8) "Vo-Tech" means the Department of Workforce Education.

History. Acts 1989, No. 684, § 1.

6-52-202. Applicability.

The provisions of this subchapter apply only to those apprenticeship training programs which receive state funds pursuant to the provisions of § 6-52-207.

History. Acts 1989, No. 684, § 9.

6-52-203. Rules.

The Department of Workforce Education and the State Apprenticeship Coordination Steering Committee shall promulgate rules necessary to implement the provisions of this subchapter.

History. Acts 1989, No. 684, § 7.

6-52-204. State Apprenticeship Coordination Steering Committee.

(a)(1) The Department of Workforce Education shall, in collaboration with the Bureau of Apprenticeship and Training of the United States Department of Labor, recommend to the Governor, and the Governor shall appoint an apprenticeship and training advisory committee composed of members with the following qualifications:

(A) Five (5) persons representing employers of members of apprenticeable trades;

(B) Five (5) persons representing bargaining agents for members of apprenticeable trades;

(C) Five (5) persons representing the minority and female work force who have knowledge of apprenticeship and are familiar with the needs of vocational and technical education; and

(D) Five (5) persons who teach or immediately supervise preparatory instruction, supplementary instruction, or related instruction courses.

(2) Members of the coordination committee shall serve terms of four (4) years.

(3) Vacancies shall be filled for the unexpired portion of a term vacated.

(b) Advisory members of the coordination committee shall include the following:

(1) One (1) person designated by and representing the Department of Workforce Education;

(2) One (1) person designated by and representing the Department of Labor;

(3) One (1) person designated by and representing the Bureau of Apprenticeship and Training;

(4) One (1) person designated by and representing the teachers training division of the University of Arkansas; and

(5) One (1) person representing the general public who is familiar with the goals and needs of apprenticeship in Arkansas and who is not otherwise eligible for service on the coordination committee.

(c)(1) The member representing the general public shall be appointed by the Department of Workforce Education for a term of four (4) years.

(2) All other nonvoting members of the coordination committee shall serve at the pleasure of the agency or institution each respective member represents.

(d) The apprenticeship coordination steering committee as outlined in this section will become the State Apprenticeship Coordination Steering Committee.

History. Acts 1989, No. 684, § 4; 1999, No. 1323, § 44.

Publisher's Notes. Acts 1989, No. 684, § 4, provided, in part, that the State Department of Vocational and Technical Education shall designate two members from each of the groups referred to in subdivisions (a)(1)(A)-(D) to serve an initial term of two years.

Amendments. The 1999 amendment substituted "department" for "Vocational and Technical Education Division" in (b)(1); deleted (b)(2) and redesignated the following subdivisions accordingly; and made a related change.

6-52-205. State Apprenticeship Coordination Steering Committee — Duties.

(a) The State Apprenticeship Coordination Steering Committee shall recommend to the State Board of Workforce Education and Career Opportunities a statewide plan for the development of a comprehensive program of apprenticeship training which shall include but not be limited to the following:

(1) Formulas and administrative procedures to be used in requesting appropriations of state funds for apprenticeship training;

(2) Forms, formulas, and administrative procedures to be used in distributing available funds to apprenticeship training programs; and

(3) The content and method of the public notice required by this subchapter.

(b) The Department of Workforce Education shall furnish the coordination committee with the current data necessary to develop the plan. All state boards and agencies shall cooperate with the coordination committee and shall furnish information and material on request.

(c) Pursuant to this section, the reporting procedures shall be included in the state plan for apprenticeship.

History. Acts 1989, No. 684, §§ 5, 6.

6-52-206. Recommendations.

(a) Recommendations of the State Apprenticeship Coordination Steering Committee submitted to the Department of Workforce Education must be acted on and either accepted or rejected.

(b) A recommendation which is rejected must be returned immediately to the coordination committee, accompanied by written notice of the reasons for rejecting the recommendation.

History. Acts 1989, No. 684, § 8.

6-52-207. Training programs generally.

(a) Pursuant to the provisions of this subchapter, the Director of the Department of Workforce Education shall allocate state funds for the support of apprenticeship training programs that meet the criteria set forth in this subchapter.

(b) A program must be co-sponsored by a public school district, an educational cooperative, a state postsecondary institution, a vo-tech school, or a two-year community college pursuant to a contract between the district or institution and an apprenticeship program sponsor.

(c) A program must be under the direction of an apprenticeship coordinator appointed by the apprenticeship program sponsor who shall perform the duties set forth in § 6-52-208.

(d) Each apprentice participating in a program must be given a written apprenticeship agreement by the apprenticeship program sponsor stating the standards and conditions of his or her employment and

training. The apprenticeship agreements are furnished by the Bureau of Apprenticeship and Training of the United States Department of Labor.

(e) An apprentice may not be charged tuition or fees by a public school district or state postsecondary institution other than an administrative fee to cover the costs of processing his or her records which shall not exceed twenty-five dollars (\$25.00) for each course in which the apprentice is enrolled. The apprentice or the program sponsor may be required to furnish books and special equipment.

(f) Funding for a program, in addition to any other money available, shall be provided by the apprenticeship program sponsor pursuant to the terms of the contract referred to in subsection (b) of this section. The program sponsor may charge an apprentice or the employer of the apprentice tuition and fees to cover administrative costs incurred while the apprentice is registered with the program sponsor.

(g) Pursuant to the terms of the contract referred to in subsection (b) of this section, adequate facilities, personnel, and resources to effectively administer the apprenticeship training program in a manner consistent with the public's need for skilled workers and the apprentice's need for marketable skills in apprenticeable occupations must be provided.

(h) A program must be registered with the Bureau of Apprenticeship and Training of the United States Department of Labor and the Department of Workforce Education.

History. Acts 1989, No. 684, § 2.

6-52-208. Duties of apprenticeship program sponsors.

(a) The apprenticeship program sponsor of each apprenticeship training program shall:

(1) Establish standards and goals for preparatory instruction, supplementary instruction, and related instruction for apprentices in the program;

(2) Establish rules governing the on-the-job training and other instruction for apprentices in the program;

(3) Plan and organize instructional materials designed to provide technical and theoretical knowledge and basic skills required by apprentices in the program;

(4) Recommend qualified instructors for the program;

(5) Monitor and evaluate the performance and progress of each apprentice in the program and the program as a whole; and

(6) Interview applicants and select those most qualified for entrance into the program.

(b) A program must provide for the keeping of records of the on-the-job training and progress of each apprentice.

(c) A program must require instructors to maintain recommended qualifications.

(d) A program must perform any other duties which promote the goals of individual apprentices and of the program as a whole.

History. Acts 1989, No. 684, § 3.

CHAPTER 53
POSTSECONDARY EDUCATION REORGANIZATION
ACT

SUBCHAPTER.

- 1. GENERAL PROVISIONS.
- 2. ARKANSAS TECHNICAL AND COMMUNITY COLLEGE SYSTEM.
- 3. ADMINISTRATION.
- 4. CONVERSIONS AND CONSOLIDATIONS.
- 5. GRANTS FOR TECH-PREP EDUCATION.
- 6. TECHNICAL COLLEGE DISTRICTS.

A.C.R.C. Notes. References to “this chapter” in subchapters 1, 2, 4-6 and §§ 6-53-301 — 6-53-306 may not apply to §§ 6-53-307 and 6-53-308 which were enacted subsequently.

Acts 1991, No. 1244, § 39 provided: “The technical college system provided for in this act shall not be implemented until an additional source of funding is provided by the Seventy-Eighth Session of the Arkansas General Assembly which is specifically dedicated to financing the technical and community college system and postsecondary vocational technical schools in the Division of Vocational Technical Education of the Arkansas Department of Education.”

Effective Dates. Acts 1997, No. 1114, § 18: May 1, 1997. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act abolishes the State Board of Higher Education and replaces the board with the Arkansas Higher Education Coordinating Board; and that to provide for an efficient transition and to allow the Governor a sufficient time to make appointments, this act shall become effective May 1, 1997. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on May 1, 1997.”

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-53-101. Title.
- 6-53-102. Purpose.
- 6-53-103. Definitions.
- 6-53-104. Effect of chapter on existing law.

SECTION.

- 6-53-105. Withdrawal or withholding of state funding.
- 6-53-106. Licensed blind vendors.
- 6-53-107. Effect of conversion on employees and directors.

Effective Dates. Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: “It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the deliv-

ery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this

state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health

and safety shall be in full force and effect from and after its passage and approval.”

Acts 1995, No. 854, § 7: July 1, 1995. Emergency clause provided: “It is hereby found and determined by the General Assembly that the restructuring of the delivery system of adult education and vocational education in this state authorized by Act 1244 of 1991 is accomplished in the area of providing for the presidents of the various technical colleges and that it is necessary for this act to become effective immediately to continue the efficient operation of the technical and community college system in Arkansas. Therefore, an emergency is hereby found to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.”

6-53-101. Title.

This chapter shall be known as and may be cited as the “Two-Year Postsecondary Education Reorganization Act of 1991”.

History. Acts 1991, No. 1244, § 1.

6-53-102. Purpose.

(a) The purpose of this chapter is to serve as a legislative charter under the authority granted by Arkansas Constitution, Amendment 52, for the establishment, organization, and administration of a system of educational institutions throughout the state offering courses of instruction in technical, vocational, and adult education programs, industry training, and two-year college transfer programs.

(b) The system established under this chapter shall provide educational programs which are:

(1) Easily accessible by all segments of the population so that they may benefit from training, retraining, or upgraded training for employment; and

(2) Highly responsive to individuals needing to achieve basic, general, and specialized education to meet the needs of the workplace.

(c) The Arkansas Higher Education Coordinating Board shall serve as the coordinating body of the system in order to assure the orderly and effective development of the publicly supported institutions within the system.

History. Acts 1991, No. 1244, § 2; 1997, No. 1114, § 5.

6-53-103. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Branch campus of the community college" means an institution with facilities located apart from the community college campus but within the community college district;

(2)(A) "Capital outlay expense" means those funds devoted to or required for:

(i) The acquisition and improvement of land;

(ii) The acquisition, construction, remodeling, alteration, addition, or enlargement of buildings or other structures; and

(iii) The initial purchase of library holdings, furniture, apparatus, and other equipment for a new or expanded facility as defined by the Arkansas Higher Education Coordinating Board.

(B) "Capital outlay expense" excludes those expenses used for maintenance and replacement of equipment and furniture;

(3) "Community college" means an institution of higher education established or to be established under the provisions of this chapter dedicated primarily to the educational needs of the service area and offering a comprehensive program, including, but without limitation, vocational, trade, and technical specialty courses and programs, college transfer courses, and courses in general adult education;

(4) "Department" means the Department of Higher Education;

(5) "District" means the geographic area located within one (1) or more counties or cities or any described combination thereof or any described area which may be in one (1) or more counties or parts of counties but within the same service area which is directly responsible for the local financial support and local administration of an institution located within its service area;

(6) "Existing community college" means a community college established in accordance with the provisions of, and presently operating in conformity with, Arkansas Constitution, Amendment 52, and §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603;

(7) "Local board" means the governing body of a technical college or community college;

(8) "Operating expense" means those educational and general funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance, and salary expenses but excluding capital outlay expenses, student activity expenses, and expenses for intercollegiate athletics. "Operating expense" includes maintenance and replacement of furniture and equipment, including motor vehicles;

(9) "Satellite campus" means an institution or off-campus facility of a community college located within a service area of a technical or community college but not located within a community college district;

(10)(A) "Service area" means the geographic area assigned by the Arkansas Higher Education Coordinating Board as the area to be served by the institution located within its borders.

(B) Each county in the state shall be assigned to at least one (1) service area;

(11) "State board", "board", or "full board" means the Arkansas Higher Education Coordinating Board;

(12) "System institution" means a technical college or community college; and

(13) "Technical college" means an institution of higher education established under this chapter dedicated primarily to the educational needs of the service area and offering a comprehensive program, including, but without limitation, vocational, trade, and technical specialty courses and programs, courses in general adult education, and courses comparable in content and quality to freshman and sophomore courses which may carry transfer credit to a four-year institution in a chosen course of study.

History. Acts 1991, No. 1244, § 3;
1995, No. 576, § 1; 1997, No. 1114, § 6.

6-53-104. Effect of chapter on existing law.

(a) The procedures and deadlines established in this chapter shall, for the purposes of this chapter, be in lieu of and supersede those set forth in existing laws of this state with respect to the establishment, organization, and administration of vocational-technical postsecondary institutions and community colleges.

(b) Existing laws of this state shall for the purposes of this chapter apply only in those situations which are not specifically provided for in this chapter and, when applied, shall be consistent, insofar as possible, with the purpose, procedures, and deadlines contained in this chapter.

History. Acts 1991, No. 1244, § 37.

6-53-105. Withdrawal or withholding of state funding.

The Arkansas Higher Education Coordinating Board may approve the withdrawal or withholding of state financial and administrative support of any institution in the system under the following conditions:

(1) If an institution fails or refuses to maintain prescribed standards of administration or instruction; or

(2) If an institution fails to achieve accreditation within the time limits prescribed by this chapter.

History. Acts 1991, No. 1244, § 25;
1995, No. 854, § 2.

6-53-106. Licensed blind vendors.

Section 22-3-1301 et seq. grants preference to trained blind individuals in the operation of vending facilities on certain state-owned or leased property. Further, such vending facilities provide productive employment to qualified blind persons resulting in earned income

which returns tax dollars to the state. Therefore, it is the specific intent of this section to continue such vending preferences allowed under § 22-3-1301 et seq. with all rights and responsibilities required therein at all vocational-technical schools where they now operate. Any institutional consolidation resulting from § 6-53-101 et seq. shall include plans for continuation of vending facilities at the preceding locations subject to § 22-3-1301 et seq.

History. Acts 1991, No. 1244, § 38.

6-53-107. Effect of conversion on employees and directors.

(a) All employees who are employed by state-supported postsecondary vocational-technical schools converting to an institution under the technical and community college system or those employees of a two-year branch campus of a four-year institution converting to a technical or community college shall become employees of the technical or community college, branch campus of the community college, or satellite campus of the community college under this chapter and shall continue their terms of employment and shall have all rights and benefits of employment, including retirement benefits, that they had when employed by the state-supported postsecondary vocational-technical schools or by the two-year branch campus of the four-year institution.

(b) All directors of state-supported postsecondary vocational-technical schools shall continue their terms of employment and shall have all rights and benefits of employment, including retirement benefits, under this chapter and shall remain directors of the institutions resulting from the merger, consolidation, or expansion under this chapter.

(c) Any abolishment of a position in an institution operated as a former state-supported postsecondary vocational-technical school by an institution within the system shall require prior approval of the state board during the five (5) years following the effective date of the merger, consolidation, or expansion.

(d) Nothing in this section shall be interpreted to provide any employee described herein with any employment rights or benefits greater than those employment rights or benefits to which all state employees are entitled.

History. Acts 1991, No. 1244, § 32.

SUBCHAPTER 2 — ARKANSAS TECHNICAL AND COMMUNITY COLLEGE SYSTEM

SECTION.

6-53-201. System name.

6-53-202. [Repealed.]

6-53-203. Duties and powers of Arkansas

SECTION.

Higher Education Coordinating Board.

6-53-204. [Repealed.]

SECTION.

6-53-205. College transfer program approval.

6-53-206. Equipment pool.

6-53-207. Capital outlays.

6-53-208. [Repealed.]

SECTION.

6-53-209. Interim accreditation and governance.

6-53-210. Transfers to system after July 1, 1991.

Effective Dates. Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the

institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 854, § 7: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly that the restructuring of the delivery system of adult education and vocational education in this state authorized by Act 1244 of 1991 is accomplished in the area of providing for the presidents of the various technical colleges and that it is necessary for this act to become effective immediately to continue the efficient operation of the technical and community college system in Arkansas. Therefore, an emergency is hereby found to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

6-53-201. System name.

All two-year institutions and their courses and programs within the jurisdiction of the Arkansas Higher Education Coordinating Board shall be identified and administered as the Arkansas Technical and Community College System.

History. Acts 1991, No. 1244, § 8; 1997, No. 1114, § 7.

6-53-202. [Repealed.]

A.C.R.C. Notes. Pursuant to § 1-2-207, the repeal of this section by Acts 1997, No. 1114 superseded its amendment by Acts 1997, No. 540.

Publisher's Notes. This section, con-

cerning the College Panel of the State Board of Higher Education, was repealed by Acts 1997, No. 1114, § 8. The section was derived from Acts 1991, No. 1244, § 6; 1997, No. 540, § 10.

6-53-203. Duties and powers of Arkansas Higher Education Coordinating Board.

(a) In order to promote a coordinated system of two-year postsecondary education in Arkansas, to provide an effective delivery system for adult education programs, and to assure an orderly and effective development of a system of publicly and locally supported institutions, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1) To function as a coordinating body between the technical and community colleges in the system and the public schools, universities, state colleges, and other educational institutions in Arkansas;

(2) To determine service areas containing all counties within the state and to recommend adoption of such service areas to the full board, who shall designate which system institution within the service area shall be responsible for fulfillment of the two-year postsecondary educational needs of the service area;

(3) To review, evaluate, and coordinate budget requests for the institutions in the system. The full board shall present to the General Assembly and to the Governor prior to each regular session of the General Assembly a single budget report containing the recommendations for separate appropriations to each of the respective institutions:

(A) The recommendations will be consistent with a comprehensive master plan of two-year postsecondary education in Arkansas adopted by the board;

(B) The recommendations, insofar as possible, will be based upon standard techniques of objective measurement of need and unit cost figures arrived at through comparative data secured from the several institutions; and

(C) Specific needs of institutions based upon existing programs and deficiencies will be given consideration;

(4)(A) To develop, in conjunction with the institutions, the Governor, and the Legislative Council, a single set of budget forms which will be utilized by all parties in making requests and recommendations for the funding of two-year postsecondary institutions in the system.

(B) The forms and process will require that the total income and expenditures of each institution must be considered in the request process;

(5) To determine, in coordination with the Legislative Joint Auditing Committee, that state funds are used in conformity with the grants of such funds;

(6) To determine a minimum level for student tuition and fees to be charged by institutions within the system in regard to the funding formula;

(7) To plan, in cooperation with the State Board of Workforce Education and Career Opportunities, the allocation of federal funds for instructional programs and student services, including funds for vocational and technical education, retraining, adult basic education, and general adult education;

(8) To recommend to the General Assembly the location and priorities for establishment or expansion of institutions or abolition of institutions; and

(9) To develop a standardized method of calculating the full-time equivalent enrollment for use by each two-year postsecondary institution in this state. Such calculation shall provide for the inclusion of students attending off-campus programs offered by the institution.

(b) The board shall develop and maintain short-range and long-range plans for providing current and appropriate occupational and technical training for adults and may solicit information for its planning activities from the State Board of Education, the Arkansas Employment Security Department, any industry training program of the state, any apprenticeship training program of the state, and other state agencies, institutions, and departments.

(c) The board shall have approval or disapproval authority over all future conversions of state-supported postsecondary vocational-technical institutions to technical colleges and all consolidations of postsecondary vocational-technical institutions with community colleges or four-year institutions or their branches which must be authorized by the General Assembly.

(d) The board shall recommend and review proposals for the establishment of curricula and for major changes in curricula of institutions within the system. It shall emphasize flexibility in responding to local business and industry needs.

(e)(1) The board shall define the requirements of appropriate degrees and certificates and authorize the award thereof in the institutions within the system.

(2) The board shall approve all degree programs at the associate degree level or above at any state-supported postsecondary institution, including those established and administered under § 6-51-701 et seq.

(f) The board shall cooperate with the board of directors of any school district to encourage the use and sharing of facilities and staff in the offering of secondary vocational programs, including instruction in agricultural subjects, trades, or industrial subjects.

History. Acts 1991, No. 1244, § 7; 1995, No. 854, § 3; 1997, No. 1114, § 9.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-53-204. [Repealed.]

Publisher's Notes. This section, concerning the Office of Accountability, was repealed by Acts 1999, No. 479, § 1. The

section was derived from Acts 1991, No. 1244, § 9; 1997, No. 112, § 14.

6-53-205. College transfer program approval.

(a) The Arkansas Higher Education Coordinating Board shall develop a plan to maximize transfer credits of students from institutions within the system, including the development of a core transfer program for students desiring to obtain a baccalaureate degree after transferring from an institution within the two-year system to the four-year system.

(b) All programs and curricula in the college transfer program shall be subject to the approval or disapproval of the Arkansas Higher Education Coordinating Board.

(c) The board shall develop, with the assistance of institutional advisory committees, policies for transfer students from technical and community colleges to four-year institutions.

History. Acts 1991, No. 1244, § 10.

6-53-206. Equipment pool.

The Department of Higher Education, in coordination with the institutions, shall develop an effective means of pooling surplus equipment for redistribution to other institutions. Such equipment pool arrangement may include the crediting of equipment values to the institution for equipment acquired from a source other than the state.

History. Acts 1991, No. 1244, § 11.

6-53-207. Capital outlays.

(a) Unless exempted under the provisions of § 19-4-522, any expenditure of State Treasury funds for capital outlay expenses or construction costs as set forth in § 19-4-524 of an institution within the system shall be subject to the prior approval of the General Assembly upon the recommendation of the Arkansas Higher Education Coordinating Board.

(b) Except those funds allocated under the College Savings Bond Act, § 6-62-701 et seq., or provided during the 1991-1993 biennium, prior to the withdrawal of state funds from the State Treasury for use in approved capital outlays, the board shall obtain and transmit to the Chief Fiscal Officer of the State a certificate from the chair of the local board of the technical or community college stating that a minimum of fifty percent (50%) of each project cost has been provided by local funds.

(c) No state moneys appropriated for general operating expenses of an institution shall be used for capital outlay expenses.

(d) Capital outlay expenses shall be paid from gifts, grants, profits from auxiliary enterprises, tuition, fees, local millages, and other local funds and may be paid from state funds appropriated for such purposes.

(e) Revenues derived from any local sales and use tax levied under §§ 26-74-201 et seq., 26-74-301 et seq., 26-75-201 et seq., or 26-75-301 et seq., may be used to finance capital outlay expenses for institutions of higher education.

History. Acts 1991, No. 1244, § 12; 1993, No. 423, § 3.

A.C.R.C. Notes. Pursuant to § 1-2-207, this section is set out above as amended by Acts 1993, No. 423, § 3.

Acts 1993, No. 382, § 1 also amended subsection (d) to read: "Capital outlay

expenses shall be paid from gifts, grants, profits from auxiliary enterprises, local millages, and other local funds, including unexpended cash funds from previous years' general operating budgets and may be paid from state funds appropriated for such purposes."

6-53-208. [Repealed.]

Publisher's Notes. This section, concerning student tuition and fees, was repealed by Acts 1999, No. 1107, § 1. The

section was derived from Acts 1991, No. 1244, § 26.

6-53-209. Interim accreditation and governance.

(a) The Arkansas Higher Education Coordinating Board is hereby authorized to act as the legal entity, governing board, and receiver of all property for any institution not accredited by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools and seeking merger or consolidation with an existing institution of higher education during the interim period when approval of institutional change from the commission is being sought.

(b) Upon approval by the commission, all records, personnel, property, unexpended balances, and all legal authority shall pass from the Arkansas Higher Education Coordinating Board to the legal entity governing the newly merged or consolidated institution.

(c) The Arkansas Higher Education Coordinating Board is hereby authorized to provide accreditation for a period of up to six (6) years to any institution governed by the state board.

(d) Until such time as the Arkansas Higher Education Coordinating Board approves associate of applied science degrees for the institutions identified in § 6-53-301(a), no change in the educational mission of those institutions is intended or authorized by this chapter. Therefore, the State Board of Workforce Education and Career Opportunities must show cause why accreditation of those institutions should not be continued and, further, must provide twelve (12) months notice of any action to withdraw its accreditation of those institutions.

(e) Any postsecondary vocational-technical school other than those listed in §§ 6-53-301 and 6-53-404 which receives approval from the state board and the General Assembly to begin the process of consolidation or merger with an existing institution of higher education shall be governed by the Arkansas Higher Education Coordinating Board in accordance with the provisions of this section and § 6-53-302(f), (h), and (i) pending approval of the merger or consolidation from the commission.

(f) Should any consolidation plan fail to be approved by the commission, the provision of § 6-53-301(g) shall apply to the postsecondary vocational-technical school or technical college seeking merger or consolidation with an institution of higher education.

History. Acts 1991, No. 1244, § 18.

6-53-210. Transfers to system after July 1, 1991.

(a) Following July 1, 1991, any existing postsecondary vocational-technical school transferring to the system shall do so only upon approval by the General Assembly and the recommendation of the Arkansas Higher Education Coordinating Board.

(b) Upon completion of the transfer to the system, the institution shall be subject to the same laws, procedures, rules, and regulations as all other institutions under the jurisdiction of the state board.

History. Acts 1991, No. 1244, § 35.

SUBCHAPTER 3 — ADMINISTRATION

SECTION.

- 6-53-301. Arkansas Technical and Community College System.
- 6-53-302. Local administration — Technical colleges.
- 6-53-303. Institution presidents.
- 6-53-304. Student tuition — Fees.
- 6-53-305. Transportation.

SECTION.

- 6-53-306. Coordination with secondary vocational-technical education and literacy programs.
- 6-53-307. County support of technical colleges.
- 6-53-308. Municipal contracts.

A.C.R.C. Notes. References to “this chapter” in subchapters 1, 2, 4-6 and §§ 6-53-301 to 6-53-306 may not apply to §§ 6-53-307 and 6-53-308 which were enacted subsequently.

Publisher’s Notes. Acts 1991, No. 1244, § 33, in part, abolished the Arkansas Advisory Council for Vocational-Technical Education. Section 33 further provided that: “All records, property, unexpended balances of appropriations, allocations or other funds of the Arkansas Advisory Council for Vocational-Technical Education are hereby transferred to the Office of the Governor. The Governor shall reconstitute an advisory group as required by the Carl D. Perkins Vocational/ Applied Technology Education Act of 1990 to advise the State Board of Vocational Education and the State Board of Higher Education concerning use of federal funding for vocational-technical education. Any such advisory group shall contain representatives knowledgeable in business, industry, labor or economic development communities of this state.”

Effective Dates. Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: “It is hereby found and deter-

mined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1995, No. 854, § 7: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly that the restructuring of the delivery system of adult education and vocational education in this state authorized by Act 1244 of 1991 is accomplished in the area of providing for the presidents of the various technical colleges and that it is necessary for this act to become effective immediately to continue the efficient operation of the technical and community college system in Arkansas. Therefore, an emergency is hereby found to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 481, § 6: Mar. 13, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act is needed to immediately build facilities, without which education needs and facilities may be jeopardized. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the

veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 918, § 5: Mar. 28, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that public institutions of higher education are in desperate need of additional funding; that one method of providing additional funding is through the use of county sales and use taxes; that this act authorizes the use of county sales and use taxes to be used in part for capital improvements to and the maintenance and operations of public institutions of higher education located within the county; and that this act should go into effect as soon as possible in order to provide additional revenues to the institutions of higher education as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-53-301. Arkansas Technical and Community College System.

(a)(1) The Arkansas Higher Education Coordinating Board shall designate the following institutions as technical colleges which shall become part of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board:

- (A) Black River Vocational-Technical School, Pocahontas;
- (B) Cossatot Vocational-Technical School, De Queen;
- (C) Gateway Vocational-Technical School, Batesville;
- (D) Mid-South Vocational-Technical School, West Memphis;
- (E) Oil Belt Vocational-Technical School, El Dorado;
- (F) Ozarka Vocational-Technical School, Melbourne;
- (G) Petit Jean Vocational-Technical School, Morrilton;
- (H) Pines Vocational-Technical School, Pine Bluff;
- (I) Pulaski Vocational-Technical School, North Little Rock;
- (J) Red River Vocational-Technical School, Hope; and
- (K) Twin Lakes Vocational-Technical School, Harrison.

(2) None of these institutions shall have the authority to request the board's approval for associate degree programs before July 1, 1993.

(b) A technical college may be expanded to offer courses of instruction in technical, vocational, and adult education programs and college transfer programs and may, upon a vote of the electorate, create a community college district and, if necessary, impose a millage to convert to a community college.

(c) Until the institution elects to become a community college, the institution shall be known as a technical college.

(d) [Repealed].

(e) Upon the appointment of the local board, all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the state-supported postsecondary vocational-technical institutions shall be transferred to the local board.

(f) The local board shall be responsible for the administration and operation of the institution and shall be further responsible for the provision of services to meet the two-year postsecondary educational needs of those citizens located within the service area of the institution.

(g)(1) Any technical college which fails to achieve higher education institutional accreditation from the Commission on Institutions of Higher Education of the North Central Association within eight (8) years following the date of transfer under subsection (e) of this section shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the Department of Higher Education.

History. Acts 1991, No. 1244, § 19; 1993, No. 423, § 4; 1995, No. 603, § 2; 1997, No. 1114, § 10.

A.C.R.C. Notes. As enacted, (a)(1) began "Effective July 1, 1991."

Acts 1991, No. 1244, § 24 provided:

"(a)(1) Except as provided in subsection (2), effective July 1, 1991, the board shall designate the Mountain Home Education Center (postsecondary only) (Baxter County) as a technical college.

"(2) The advisory board of the Mountain Home Education Center (Baxter County) may, by resolution prior to July 1, 1991, elect not to be a technical college.

"(3) All records, personnel, property, unexpended balances of appropriations, allocations or other funds of the Mountain Home Education Center shall be transferred to the state except as provided in (2) above.

"(b)(1) If approved by majority vote of the qualified electors of Boone County voting in a special election before July 1, 1991, then effective July 1, 1991, Twin Lakes Technical College shall become a

candidate for merger with North Arkansas Community College.

"(2) The election may be called by a resolution adopted by the quorum court of Boone County, the governing body of North Arkansas Community College, or the governing body of Twin Lakes Vocational Technical School.

"(3) Upon adoption of such a resolution, the entity shall immediately notify the county board of election commissioners who shall call the election.

"(4) At least twenty (20) days public notice shall be given before the election.

"(5) The entity calling for the election shall be responsible for paying for the cost of the election unless otherwise agreed to among all entities.

"(6) Upon approval by the voters to begin the merger process, the technical college shall be governed by the State Board of Higher Education in accordance with the provisions of Section 18 and subsection (f), (h) and (i) of Section 17 during the interim period of seeking approval for change of institutional status

from North Central Association — Commission on Institutions of Higher Education.

“(7) Notwithstanding the provisions of Section 19(a), if the voters of Boone

County do not approve the measure, then Twin Lakes Technical College shall continue to be a technical college and shall be subject to the provisions of subsection (g) of Section 19.”

6-53-302. Local administration — Technical colleges.

(a) Each technical college established or operated under this chapter shall be governed by a local board of trustees consisting of seven (7) members who shall be appointed by the Governor and subject to the confirmation of the Senate.

(b) The term of office of local board members shall be seven (7) years.

(c) Members of the local board shall be qualified electors of the service area of the technical college and knowledgeable in business, labor, industry, or economic development.

(d) No candidate for public office, holder of public office in the state, certified or noncertified employee of a public school district, classified or nonclassified employee of any community college, vocational and technical school, or any institution of higher learning, nor any member of a board of trustees of a school district, of any community college, or institution of higher learning, or his or her spouse, shall serve as a member of the local board.

(e) When a vacancy occurs in the membership of the local board, the president of the technical college shall so notify the Governor, who shall appoint a successor to the person who vacated membership, who will serve the unexpired term of the person succeeded.

(f) The powers and duties of the local board shall be as follows:

(1) To acquire, hold, and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such other rights and privileges as may be necessary for the management and administration of the technical college;

(2) To appoint the president of the technical college;

(3) To appoint, upon nomination of the president, members of the administrative and teaching staffs;

(4) To determine, with the approval of the Arkansas Higher Education Coordinating Board, the educational program of the technical college; and

(5) Other powers and duties as provided in this chapter and as delegated to it by the state board.

(g) The local board shall select a chair and such other officers as are necessary for the performance of its duties.

(h) The local board may make rules and regulations not inconsistent with the provisions of this chapter or inconsistent with the rules and regulations of the state board as are necessary for the proper administration and operation of the technical college.

(i) The local board may contract with the Department of Workforce Education, with a nonprofit organization, or with a local school board within its service area to offer secondary level general academic and

vocational and technical courses and programs or adult literacy courses or both.

(j)(1) The local board of a technical college may contract with a municipality for:

(A) The transfer of real property, including any buildings or structures thereon from the college to the municipality;

(B) Any or all of the following:

(i) The construction, repair, and renovation of buildings or structures;

(ii) The construction of additions to buildings or structures; and

(iii) The provision of equipment, apparatus, library materials, and fixtures for the buildings or structures by the municipality; and

(C) The long-term lease of at least fifty (50) years of the buildings or structures by the municipality to the college for nominal monetary and other valuable consideration. The leased building or structure shall be utilized by the college for educational and technical educational purposes.

(2) The college may expend funds under the Arkansas Existing Work Force Training Act of 1995, § 6-50-701 et seq., and the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., and the college and the municipality may expend any other funds available pursuant to applicable law for the purposes set out in this subdivision (j) and for the operation of the facility or structure if the college receives a long-term lease of at least fifty (50) years.

(3) If, pursuant to subdivision (j)(1) of this section, the college receives a long-term lease of at least fifty (50) years, the college and the municipality are authorized to jointly do any or all of the following:

(A) Construct, repair, and renovate buildings or structures;

(B) Construct additions to buildings or structures; and

(C) Provide equipment, apparatus, library materials, and fixtures for the buildings or structures.

History. Acts 1991, No. 1244, § 17; 1995, No. 854, § 1; 1997, No. 481, § 1.

Publisher's Notes. Acts 1991, No. 1244, § 17, provided: "The initial board

appointees shall determine their terms by lot so that no more than one (1) term shall expire during any year."

6-53-303. Institution presidents.

(a) The president of the technical or community college shall serve at the pleasure of the local board.

(b) The persons currently appointed and serving as presidents of existing community colleges or a chancellor of a two-year branch of a four-year institution which might transfer to the Arkansas Technical and Community College System shall continue their terms of employment and shall have all rights and benefits of employment.

(c) When a vacancy occurs in the office of president of a technical or community college in the system, the local board shall select the new president.

History. Acts 1991, No. 1244, § 27; 1999, No. 478, § 4.

Amendments. The 1999 amendment rewrote (c).

6-53-304. Student tuition — Fees.

(a) The intent of this chapter is to make technical and community college programs available to as many citizens of Arkansas as possible. To this end, tuition and fees should be maintained at a reasonable level so as not to exclude citizens because of cost.

(b) The local board shall determine the minimum student tuition and fees to be charged by institutions within the system.

(c) The local board shall set both in-district and out-of-district student tuition and fees for each institution within its service area. Students residing outside a community college district may be subject to extra tuition and fees.

History. Acts 1991, No. 1244, § 26; 1999, No. 1107, § 2.

Amendments. The 1999 amendment inserted (b); and added the last sentence of (c).

Publisher's Notes. Acts 1991, No. 1224, § 26, is also codified, in part, as § 6-53-208 [repealed].

6-53-305. Transportation.

A technical or community college may establish and operate a transportation system for students within the service area of the institution assigned by the Arkansas Higher Education Coordinating Board.

History. Acts 1991, No. 1244, § 16.

6-53-306. Coordination with secondary vocational-technical education and literacy programs.

Upon the approval of the Arkansas Higher Education Coordinating Board, the local board may contract with the Department of Workforce Education, a non-profit organization, or a local school board within its service area to offer secondary-level vocational and technical courses and programs, adult literacy courses, and industry training.

History. Acts 1991, No. 1244, § 14.

6-53-307. County support of technical colleges.

(a)(1) Any county quorum court may designate all or any portion of any undedicated county sales or use tax to be used for capital improvements to or the maintenance and operation of any technical college, two-year college, community college, or satellite campus of a community college.

(2)(A) In the alternative, the quorum court may refer to a vote of the people at any general or special election the issue of dedicating all or a portion of any undedicated county sales or use tax to any technical

college, community college, two-year college, or satellite campus of a community college to be used for capital improvements to or the maintenance and operation of the technical college, community college, two-year college, or satellite campus of a community college.

(B) If the voters dedicate all or a portion of the tax, it shall remain so dedicated until the voters decide otherwise.

(b) When the quorum court calls an election on the issue of the levy of any county sales or use tax, it may also cause to be placed on the ballot the issue of dedicating all or a portion of the tax for capital improvements to or the maintenance and operation of any technical college, community college, two-year college, or satellite campus of a community college.

(c) If a technical college, community college, two-year college, or satellite campus of a community college for which a tax is dedicated or levied under this section thereafter becomes a branch of an existing institution of higher education, the tax dedicated or levied under this section shall continue to be dedicated and levied for the use and benefit of the branch unless reduced or repealed as authorized under this section.

(d) A county sales or use tax dedicated or levied under this section may also be dedicated or levied in part for capital improvements to or the maintenance and operation of any public institution of higher education located in the county.

History. Acts 1993, No. 867, §§ 1-4; 1995, No. 576, § 2; 1997, No. 918, § 1; 1999, No. 818, § 1.

A.C.R.C. Notes. References to “this chapter” in subchapters 1, 2, 4-6 and §§ 6-53-301 — 6-53-306 may not apply to this

section which was enacted subsequently.
Amendments. The 1999 amendment inserted “community college, two-year college” throughout this section; inserted “college, two-year college, community college” in (a)(1); and made stylistic changes.

6-53-308. Municipal contracts.

(a) The local board of a community college may contract with a municipality for:

(1) The transfer of real property, including any buildings or structures thereon from the college to the municipality;

(2) Any or all of the following:

(A) The construction, repair, and renovation of buildings or structures;

(B) The construction of additions to buildings or structures; and

(C) The provision of equipment, apparatus, library materials, and fixtures for the buildings or structures by the municipality; and

(3) The long-term lease of at least fifty (50) years of the buildings or structures by the municipality to the college for nominal monetary and other valuable consideration. The leased building or structure shall be utilized by the college for educational purposes.

(b) The college may expend funds under the Arkansas College Savings Bond Act of 1989, § 6-62-701 et seq., and the college and the

municipality may expend any other funds available pursuant to applicable law for the purposes set out in this section and for the operation of the facility or structure if the college receives a long-term lease of at least fifty (50) years.

(c) If, pursuant to subsection (a) of this section, the college receives a long-term lease of at least fifty (50) years, the college and the municipality are authorized to jointly do any or all of the following:

- (1) Construct, repair, and renovate buildings or structures;
- (2) Construct additions to buildings or structures; and
- (3) Provide equipment, apparatus, library materials, and fixtures for the buildings or structures.

History. Acts 1997, No. 481, § 2.

A.C.R.C. Notes. References to "this chapter" in subchapters 1, 2, 4-6 and §§ 6-

53-301 to 6-53-306 may not apply to this section which was enacted subsequently.

SUBCHAPTER 4 — CONVERSIONS AND CONSOLIDATIONS

SECTION.

- 6-53-401. Coordination with institutional boards of trustees.
- 6-53-402. Two-year branches — Conversion to technical college.
- 6-53-403. Technical colleges and two-year branches — Conversion to community college.

SECTION.

- 6-53-404. Technical colleges — Acceptance as branch campus of community college.
- 6-53-405. Consolidations.

Effective Dates. Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to

establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-53-401. Coordination with institutional boards of trustees.

All future mergers or consolidations of state-supported postsecondary vocational-technical institutions with existing community colleges, branch campuses of four-year institutions or with four-year institutions shall be subject to the approval of the board of trustees of the

institution, the Arkansas Higher Education Coordinating Board, and the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools.

History. Acts 1991, No. 1244, § 13.

6-53-402. Two-year branches — Conversion to technical college.

(a) A board of trustees of a four-year institution may, by resolution or when requested, petition the Arkansas Higher Education Coordinating Board to accept a two-year branch campus to be a technical college under the state board's jurisdiction.

(b) Upon approval by the board and the commission and upon assignment of a service area for the institution, the two-year branch campus shall be known as a technical college.

(c) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the two-year branch campus shall be transferred to the board until a local board is appointed.

(d) Upon the appointment of a local board, all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the local board.

(e) The local board shall be responsible for the administration and operation of the technical college and such other state-supported institutions within the system located in the service area designated by the state board as necessary to adequately meet the two-year postsecondary educational needs of those citizens located within the service area assigned to the technical college.

(f) Upon the establishment of the technical college, the two-year branch of the four-year institution shall be abolished.

(g) Any technical college established under this section which fails to achieve higher education institutional accreditation from the commission within eight (8) years following the date of conversion shall be abolished by the state board. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the Department of Higher Education.

(h)(1) No state-supported vocational and technical institution in this state other than those provided for by this chapter shall convert to become a technical college if there is an existing community college located within the same county as the vocational and technical institution.

(2) The local board of any state-supported postsecondary institution and the board of a community college located within the same county may, upon passage of a resolution by each board and with the approval by the state board and the commission, merge the state supported postsecondary institution with the community college.

History. Acts 1991, No. 1244, §§ 15, 21; 1991, No. 1246, § 11; 1995, No. 603, § 1.

A.C.R.C. Notes. As enacted, (h)(2) began "Following passage of this act."

6-53-403. Technical colleges and two-year branches — Conversion to community college.

(a)(1) The procedures for the conversion of a technical college or a two-year branch campus of a four-year institution to a community college shall except as set forth herein be the same as those in § 6-61-101 et seq. concerning formation of a community college district, and the provisions of this section shall be cumulative to the laws of this state governing the creation and operation of community colleges.

(2) Any postsecondary vocational-technical school which converts to a technical college under the provisions of this chapter or any two-year branch campus whose board of trustees petitions the Arkansas Higher Education Coordinating Board under this chapter shall be exempt from § 6-61-509(c), limiting the maximum number of community college districts in this state to eight (8), and may hereafter convert to become a community college with the approval of the coordinating board.

(b) Prior to the election, the board shall assist any group of citizens representing a proposed community college district within the service area containing the technical college in determining the feasibility of the proposed district and the adequacy of the proposed millage levy, if any.

(c) A board of trustees of a four-year institution shall when requested petition the state board to authorize an election for a two-year branch campus of the four-year institution to become a community college.

(d)(1) If a two-year branch campus of a four-year institution and either a postsecondary vocational-technical institution or a technical college exist in the same county, the question on the ballot for formation of a community college district shall include the establishment of a community college composed of the two-year branch campus of the four-year institution and the postsecondary vocational-technical institution or technical college.

(2) In the event that an election is called for the formation of a community college district which includes the formation of a community college composed of a two-year branch campus of a four-year institution and a technical college or a postsecondary vocational-technical institution, the costs of the election shall be paid for by the institutions which will comprise the community college.

(e)(1)(A)(i) Following the conversion of a technical college to a community college, the members of the local board of the technical college shall become members of the community college board, with two (2) additional board members to be appointed by the Governor.

(ii) The board shall then draw lots, with three (3) lots for two-year terms, three (3) lots for four-year terms, and three (3) lots for six-year terms.

(B) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the local board of the community college.

(2) Upon the selection of the local board of the community college following the conversion of a two-year branch campus to a community college, the board of trustees of the four-year institution shall transfer all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the two-year branch to the local board of the community college.

(f) Except as set forth otherwise in this chapter, the local board shall have the same powers and duties as those enumerated in § 6-61-101 et seq.

(g) The local board of the community college shall be responsible for the administration and operation of all satellite campuses.

(h) No millage tax of the community college district shall be used for capital outlay expense or operating expense of a satellite campus.

(i) Upon the establishment of the community college, the postsecondary vocational-technical institution, the technical college and the two-year branch of the four-year institution shall be abolished.

(j)(1) Any community college established under this section which fails to achieve higher education institutional accreditation from the Commission on Institutions of Higher Education of the North Central Association within eight (8) years following the date of conversion shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the community college shall be transferred to the Department of Higher Education.

History. Acts 1991, No. 1244, § 22; 1991, No. 1246, § 11; 1993, No. 423, §§ 5, 6; 1995, No. 603, § 3; 1997, No. 1114, § 11.

A.C.R.C. Notes. Acts 1995, No. 1199, § 37, provided: "SALARY ADJUSTMENT. In the event that any postsecondary vocational institution merges with a contiguous community college, the director of the vocational institute shall become eligible for a \$10,000 increase in annual salary and the assistant director shall become eligible for a \$5,000 increase in annual salary following such a merger."

Acts 1999, No. 1400, § 30, provided that: "SALARY ADJUSTMENT. In the event that any postsecondary vocational institution merges with a contiguous community college, the director of the vocational institute shall become eligible for a \$10,000 increase in annual salary and the assistant director shall become eligible for a \$5,000 increase in annual salary following such a merger."

Acts 2003, No. 1309, § 35, provided: "SALARY ADJUSTMENT. In the event that any postsecondary vocational institution merges with a contiguous community college, the director of the vocational institute shall become eligible for a \$10,000 increase in annual salary and the assistant director shall become eligible for a \$5,000 increase in annual salary following such a merger. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

Acts 2003, No. 1791, §§ 1-3 provided: "SECTION 1. (a)(1) There is established a legislative committee to be known as the 'Two-Year College And Technical Institute Study Committee'.

"(b) The committee shall consist of thirteen (13) members as follows:

"(1) The Director of the Department of Higher Education, or his or her designee;

"(2) The Director of the Department of Workforce Education, or his or her designee;

“(3) The Executive Director of the Arkansas Association of Two-year Colleges, or his or her designee;

“(4) Three (3) persons appointed by the Governor with one (1) selected from each list of no less than five (5) names submitted by the following:

“(A) Economic Developers Association;

“(B) Arkansas Higher Education Coordinating Board; and

“(C) Arkansas Association of Two-Year Colleges;

“(5)(A) Three (3) persons appointed the President Pro Tempore of the Senate with one (1) selected from each list of no less than five (5) names submitted by the following:

“(i) Arkansas Department of Economic Development;

“(ii) The Executive Council of the Arkansas Higher Education Coordinating Board; and

“(iii) Arkansas Association of Educational Administrators; and

“(B) One (1) persons appointed the President Pro Tempore of the Senate from the Senate Committee on Education; and

“(6)(A) Three (3) persons appointed by the Speaker of the House of Representatives with one (1) selected from each list of no less than five (5) names submitted by the following:

“(1) Arkansas Chamber of Commerce;

“(2) Teamwork Arkansas; and

“(3) Farm Bureau; and

“(B) One (1) persons appointed the Speaker of the House of Representatives from the House Committee on Education.

“(c) Any list required under this act shall be submitted within twenty (20) days of the effective date of this act for initial appointments or within thirty (30) days following a vacancy.

“(d) The appointed committee members shall be:

“(1) Individuals who own, operate, or have special knowledge regarding the workforce training needs of Arkansas business and industry; and

“(2) Residents of the State of Arkansas at the time of appointment and throughout his or her term.

“(e)(1) If a vacancy occurs in an appointed position, for any reason, the vacancy shall be filled in the same manner as the original appointment.

“(2) The new appointee shall serve for the remainder of the unexpired term.

“(f) The Speaker of the House of Representatives shall name one of his or her appointees to serve as chairperson to call and chair the first organizational meeting of the committee until the membership elects a chairperson from among themselves.

“(g)(1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.

“(2) A majority of the members of the committee shall constitute a quorum for the purpose of transacting business.

“(3) All action of the committee shall be by a majority vote of the full membership of the committee.

“(h)(1) The committee shall:

“(1) Make recommendations to the Arkansas Higher Education Coordinating Board on the mission, role, and scope of technical institutes and two-year colleges in the state; and

“(2) Determine a method of structuring the technical institutes and two-year colleges in the state to ensure that Arkansas' business and industry workforce needs are being met;

“(3) Develop a set of proposal that would provide full utilization of the technical institutes and two-year colleges in shaping the future in Arkansas, a model for funding technical institutes and two-year colleges, a recommendation for the service areas of technical institutes and two-year colleges and identify sources of revenue to implement proposals;

“(4) Submit a report of its findings and recommendations to the House Interim Committee on Education and the Senate Interim Committee on Education no later than September 1, 2003.

“(i)(1) To provide support and continuity to the study, a member of the Arkansas Higher Education Coordinating Board shall be eligible to serve as many one (1) year terms as chairman of the Arkansas Higher Education Coordinating Board as deemed appropriate and necessary.

“(2)(A) Members of the committee shall serve without pay.

“(B) Non-legislative members of the committee may receive expense reimbursement in accordance with Arkansas Code § 25-16-902, to be paid by the Department of Higher Education to the extent money is available.

“(C) Legislative members of the commit-

tee shall receive per diem as allowed by Legislative Council for attendance at interim committees.

"SECTION 2. This act shall expire on March 30, 2005.

"SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that mission. [sic] role and scope of technical institutes and two-year colleges in the state are rapidly being lost by the various mergers and acquisitions; that vital sources of training for industry is being affected during 2003; and that this act is immediately necessary because the states

training of its workforce is vital to the stability of the state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

"(1) The date of its approval by the Governor;

"(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

"(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-53-404. Technical colleges — Acceptance as branch campus of community college.

(a) A board of trustees of a community college may, by resolution or when requested, petition the Arkansas Higher Education Coordinating Board to accept a technical college located in the same service area to be a branch campus of the community college.

(b) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of above-listed state-supported institutions within the service area of the community college shall be transferred to the local board.

(c) The local board of the community college shall be responsible for the administration and operation of all state-supported postsecondary vocational-technical institutions located within its service area and consolidated by this chapter.

(d) Until such time as territory containing the vocational-technical institution is joined to the community college district, the institution shall be operated as and known as a satellite campus of the community college. In cases where the vocational-technical institution is located within the community college district, upon consolidation, such institution shall be known as a branch campus of the community college, or, if situated in close proximity to an existing community college campus, no name distinction need be made for such institution.

(e) No millage tax of the community college district shall be used for capital outlay expense or operating expense of a satellite campus.

(f) The procedures for reconstituting districts under § 6-61-518 shall be followed to join additional territory containing the satellite campus to the existing community college district.

(g) Following the passage of the question to join territory containing the satellite campus to the existing community college district or to impose an additional millage for the community college district, the institution shall be known as a branch campus of the community college.

(h)(1) Any satellite campus of a community college which fails to become a branch campus of the community college or which fails to

achieve higher education institutional accreditation from the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools within eight (8) years following the date of transfer under subsection (b) of this section shall be abolished by the state board.

(2) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the satellite campus shall be transferred to the Department of Higher Education.

History. Acts 1991, No. 1244, § 20;
1995, No. 603, § 4.

6-53-405. Consolidations.

(a)(1) As provided in this chapter or upon approval of the State Board of Workforce Education and Career Opportunities, the board of trustees of the receiving institution, the Arkansas Higher Education Coordinating Board, and the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools thereafter, the board may consolidate a state-supported vocational-technical institution with a four-year institution or a two-year branch campus of a four-year institution.

(2) Following approval by the commission, the board, upon approval of the board of trustees of the receiving institution, shall consolidate the following state-supported vocational-technical institutions and four-year institutions or two-year branch campuses of a four-year institution: White River Vocational-Technical School with Arkansas State University-Beebe.

(b) The board of trustees of the four-year institution which receives a state-supported institution shall be responsible for the administration and operation of the state-supported institution.

(c) All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the state-supported institution shall be transferred to the board of trustees.

History. Acts 1991, No. 1244, § 23.

SUBCHAPTER 5 — GRANTS FOR TECH-PREP EDUCATION

SECTION.

6-53-501. Definitions.

6-53-502. Grants for tech-prep education.

6-53-503. Applications for grants.

6-53-504. Approval of applications —
Factors considered.

SECTION.

6-53-505. Designation of agency to receive federal funds.

Effective Dates. Acts 1991, No. 1244, § 43; Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General As-

sembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educa-

tional programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical train-

ing or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-53-501. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Articulation agreement" means a commitment to a program designed to provide students with a nonduplicative sequence of progressive achievement leading to competencies in a tech-prep education program or in college transfer programs;

(2) "Tech-prep education program" means a combined secondary and postsecondary program which:

(A) Leads to an associate of applied science or other occupational degree or two-year certificate;

(B) Provides technical preparation in at least one (1) field of engineering technology, applied science, mechanical, industrial, or practical art or trade, or agriculture, health, or business;

(C) Builds student competence in mathematics, science, and communications, including through applied academics, through a sequential course of study; and

(D) Leads to placement in employment.

History. Acts 1991, No. 1244, § 29.

6-53-502. Grants for tech-prep education.

(a) The Arkansas Higher Education Coordinating Board and the State Board of Workforce Education and Career Opportunities shall jointly award grants for tech-prep education programs to consortia of:

(1) Public schools or area vocational education schools serving secondary school students; and

(2) Community colleges which offer a two-year associate degree program or a two-year certificate program; or

(3) Other state-supported institutions of higher education which offer a two-year associate of applied science or other occupational degree program or a two-year certificate program.

(b) From the amounts made available to the state, the Arkansas Higher Education Coordinating Board and the State Board of Workforce Education and Career Opportunities, in accordance with this

subchapter, shall jointly award grants on a competitive basis or on the basis of a formula determined by both boards, for tech prep education programs.

(c) Each grant recipient shall use amounts provided under the grant to develop and operate a four-year tech-prep education program.

(d) Any such program shall:

(1) Be carried out under an articulation agreement between the participants in the consortium;

(2) Consist of the two (2) years of secondary school preceding graduation and two (2) years of higher education, or an apprenticeship program of at least two (2) years following secondary instruction, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or certificate in a specific career field;

(3) Include in-service training for teachers that:

(A) Is designed to train teachers to effectively implement tech-prep education curricula;

(B) Provides for joint training for teachers from all participants in the consortium; and

(C) May provide such training in weekend, evening, and summer sessions, institutes, or workshops;

(4) Include training programs for counselors designed to enable counselors to more effectively:

(A) Recruit students for tech-prep education programs;

(B) Ensure that such students successfully complete such programs; and

(C) Ensure that such students are placed in appropriate employment;

(5) Provide equal access to the full range of technical preparation programs to individuals who are members of special populations, including the development of tech-prep education program services appropriate to the needs of such individuals; and

(6) Provide for preparatory services which assist all participants in such programs.

(e) In addition, each such program may:

(1) Provide for the acquisition of tech-prep education program equipment; and

(2) As part of the program's planning activities, acquire technical assistance from the state or local entities that have successfully designed, established, and operated tech-prep programs.

History. Acts 1991, No. 1244, § 29.

6-53-503. Applications for grants.

(a) Each consortium that desires to receive a grant under this subchapter shall submit an application to the director or the state board, as appropriate, at such time and in such manner as the state board shall prescribe through rule or regulation.

(b) Each application submitted under this subchapter shall contain a three-year plan for the development and implementation of activities under this subchapter.

History. Acts 1991, No. 1244, § 29.

6-53-504. Approval of applications — Factors considered.

(a) The Arkansas Higher Education Coordinating Board and the State Board of Workforce Education and Career Opportunities shall approve applications based on their potential to create an effective tech-prep education program as provided in this subchapter.

(b) The two (2) boards shall give special consideration to applications which:

(1) Provide for effective employment placement activities or transfer of students to four-year baccalaureate degree programs;

(2) Are developed in consultation with business, industry, and labor unions; and

(3) Address effectively the issues of dropout prevention and reentry and the needs of minority youths, youths of limited English proficiency, youths with handicaps, and disadvantaged youths.

(c) In making grants under this subchapter, the two (2) boards shall ensure an equitable distribution of assistance throughout the state, and shall ensure an equitable distribution of assistance between urban and rural consortium participants.

(d) In the case of grants made by the two (2) boards, each grant recipient shall, with respect to assistance received under this subchapter, submit to the secretary such reports as may be required by the secretary to ensure that such grant recipient is complying with the requirements of this subchapter.

(e) After grant recipients who receive grants in the first year in which grants are made under this subchapter complete their eligibility under the program, the directors shall submit to the General Assembly a report evaluating the effectiveness of the program under this subchapter.

History. Acts 1991, No. 1244, § 29.

6-53-505. Designation of agency to receive federal funds.

The State Board of Workforce Education and Career Opportunities is hereby designated as the agency to receive the funds allocated to the state pursuant to the provisions of 20 U.S.C. § 2351 et seq.

History. Acts 1991, No. 1244, § 29.

SUBCHAPTER 6 — TECHNICAL COLLEGE DISTRICTS

SECTION.

- 6-53-601. Legislative findings and intent.
 6-53-602. Formation of a proposed district.
 6-53-603. Tax levy.

SECTION.

- 6-53-604. Dissolution of district — Reduction of millage tax.
 6-53-605. Continuation of tax.

A.C.R.C. Notes. Pursuant to § 1-2-207, this subchapter is set out below as enacted by Acts 1993, No. 945. Acts 1993, No. 423, § 1 also enacted a new subchapter 6 of this chapter concerning the establishment of technical college districts, which read as follows:

“6-53-601. Pursuant to the authority granted by Amendment No. 52 to the Constitution of the State of Arkansas, it is the intent of the General Assembly by this act to authorize the establishment of technical college districts and the levy of a property tax in such districts not to exceed ten (10) mills on each dollar of assessed value of the taxable real and personal property of a district, with the revenues therefrom to be used for site acquisition, construction, equipping, operation, and maintenance of technical colleges.

“6-53-602. (a) Upon request of the local board of a technical college, or the State Board of Higher Education acting as the local board of a technical college, the College Panel shall determine whether formation of a proposed technical college district, the boundaries of which shall be determined by the local board, or the State Board of Higher Education acting as the local board, is feasible according to criteria established by the State Board for the formation of a technical college district.

“(b) Within ten (10) calendar days after the College Panel determines that the formation of a proposed district is feasible, the local board or the State Board of Higher Education acting as the local board shall notify the county board of election commissioners in each county of which any portion is in the proposed technical college district that an election shall be held to determine whether the district shall be formed and whether a property tax, if any, shall be levied to fund site acquisition, construction, equipping, operation, and maintenance of the college. The

local board or acting local board shall set a date for the election to be held at a time not less than thirty (30) calendar days after the local board notifies the county board(s). The local board or acting local board shall specify the wording of the ballot to be used for such elections, utilizing appropriate language similar to that found in § 6-61-513(b), and the county board(s) of election commissioners shall conduct the election in the manner provided by law for special elections.

“(c) Except as provided in subsection (d) of this section, if the establishment of a proposed technical college district fails because of an adverse vote by a majority of the qualified electors of the proposed district voting thereon at the election, no new election for the establishment thereof shall be held within a period of one (1) year after the date of the election.

“(d) If the establishment of a proposed technical college district fails and the majority of votes cast in one (1) or more counties or cities in a proposed district were against the establishment of the district, the local board or acting local board may notify the county board(s) of election commissioners that an election will be held on the issue of forming a proposed district that does not include the county, city, counties, or cities in which the issue failed. The local board or acting local board shall set a date for the election to be held no less than thirty (30) calendar days after the local board notifies the county board(s). The procedures for an election to form a proposed reconstituted district shall be identical to the procedures for an election to establish a technical college district.

“(e) If the local board or acting local board of a technical college determines that the question of a tax levy in the technical college district should be submitted to the electors after the district is formed, it shall certify the millage re-

quested to the county board of election commissioners of each county of which any portion is in the technical college district. The county board(s) shall place the question of the levy on the ballot at the next general election if the date of the general election is not less than thirty (30) calendar days after the county board(s) receive certification from the local board. In the alternative, the local board or acting local board may set a date for a special election at a time not less than thirty (30) calendar days after the local board or acting local board notifies the county board(s). A special election shall be conducted in the manner provided by law for special elections.

“(f) The tax levied under this subchapter shall be a continuing levy unless otherwise provided by law. It may be reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, or increased, upon approval thereof by a majority of the qualified electors of the district voting on the issue at an election called by the local board or acting local board for such purpose at least thirty (30) calendar days after the local board notifies the county board(s) of election commissioners. The tax shall be collected in the manner now provided by law for the collection of county general taxes and promptly remitted by the county treasurer to the district. Revenues derived from any tax levied pursuant

to this subchapter may be used for site acquisition, construction, equipping, maintenance, or operations of a technical college. If a technical college for which a tax is levied thereafter becomes a branch of an existing institution of higher education, the tax levied hereunder shall continue to be levied and collected for the use and benefit of the branch unless reduced or repealed as authorized in this section.

“6-53-603. (a) A technical college district may be dissolved or the millage tax voted reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, upon approval by a majority of the qualified electors of the district voting on the issue at an election called for such purpose by the county board(s) of election commissioners upon submission of petitions signed by not less than ten percent (10%) of the qualified electors of the district based upon the total number of votes as cast therein for all candidates for the office of the Governor in the last general election.

“(b) The petition shall be filed with the Secretary of State of Arkansas, who within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of the petitions shall notify the county board(s) of election commissioners that an election shall be held at a time not less than thirty (30) nor more than one hundred and eighty (180) days from the date of notification.”

6-53-601. Legislative findings and intent.

It is the intent and purpose of this subchapter to authorize the formation of technical college districts and the levy of ad valorem taxes in such districts not to exceed ten (10) mills on each dollar of assessed value of the taxable real and personal property of a district, with the revenues therefrom to be used for site acquisition, construction, equipping, and operation of technical colleges, as authorized in Arkansas Constitution, Amendment 52.

History. Acts 1993, No. 945, § 1.

6-53-602. Formation of a proposed district.

(a)(1) Upon request of the local board of a technical college, or the Arkansas Higher Education Coordinating Board acting as a local board of a technical college, the coordinating board shall determine whether formation of a proposed technical college district is feasible according to

criteria established by the coordinating board for the formation of a technical college district.

(2) The boundaries of the technical college district are to be determined by the local board, or the coordinating board acting as the local board.

(b)(1) Within ten (10) calendar days after the coordinating board determines that the formation of a proposed district is feasible, the local board, or the coordinating board acting as the local board, shall notify the county board of election commissioners in each county of which any portion is in the proposed technical college district that an election will be held to determine whether the district shall be formed and whether an ad valorem tax shall be levied on property in the district to fund site acquisition, construction, equipping, and operation of the college.

(2) The local board or acting local board shall set a date for the election to be held at a time not less than thirty (30) calendar days after the local board or acting local board notifies the county boards.

(3) The local board or acting local board shall specify the wording of the ballot to be used for the elections utilizing appropriate language similar to that found in § 6-61-513(c), and the county boards of election commissioners shall conduct the election in the manner provided by law for special elections.

(c)(1) Except as provided in subdivision (c)(2) of this section, if the establishment of a proposed technical college district fails because of an adverse vote by a majority of the qualified electors of the proposed district voting thereon at the election, no new election for the establishment thereof shall be held within a period of one (1) year after the date of the election.

(2)(A) If the formation of a proposed technical college district fails and the majority of votes cast in one (1) or more counties or cities in a proposed district were against the formation of the district, the local board or acting local board may notify the county boards of election commissioners that an election will be held on the issue of forming a proposed district that does not include the county, city, counties, or cities in which the issue failed.

(B) The local board or acting local board shall set a date for the election to be held no less than thirty (30) calendar days after the local board or acting local board notifies the county boards.

(C) The procedures for an election to form a proposed reconstituted district shall be identical to the procedures for an election to establish a technical college district.

(d)(1) If the local board or acting local board of a technical college determines that the question of a tax levy in the technical college district should be submitted to the electors after the district is formed, it shall certify the millage requested to the county board of election commissioners of each county of which any portion is in the technical college district.

(2) The county boards shall place the question of the levy on the ballot at the next general election if the date of the general election is

not less than thirty (30) calendar days after the county boards receive certification from the local board or acting local board.

(3) In the alternative, the local board or acting local board may set a date for a special election at a time not less than thirty (30) calendar days after the local board or acting local board notifies the county boards.

(4) The special election shall be conducted in the manner provided by law for other special elections.

History. Acts 1993, No. 945, § 1; 1997, No. 1114, § 12.

6-53-603. Tax levy.

(a)(1) A tax levied under this subchapter shall be a continuing levy unless otherwise provided by law.

(2) It may be reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, or the tax may be increased upon approval thereof by a majority of the qualified electors of the district voting on the issue at an election called by the local board or acting local board to be held at least thirty (30) calendar days after the local board or acting local board notifies the county boards of election commissioners.

(b) The tax shall be collected in the manner now provided by law for the collection of county general taxes and promptly remitted by the county treasurer to the district.

(c) Revenues derived from a tax levied pursuant to this subchapter may be used for site acquisition, construction, equipping, or operation of a technical college or for any of such purposes.

History. Acts 1993, No. 945, § 1.

6-53-604. Dissolution of district — Reduction of millage tax.

(a) A technical college district may be dissolved or the millage tax voted reduced or repealed, with the exception of the amount of tax required to service any outstanding bonds, upon approval by a majority of the qualified electors of the district voting on the issue at an election called for such purpose by the county boards of election commissioners upon submission of petitions signed by not less than ten percent (10%) of the qualified electors of the district based upon the total number of votes as cast therein for all candidates for the office of Governor in the last general election.

(b) The petitions shall be filed with the Secretary of State, who, within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of the petitions, shall notify the county boards of election commissioners that an election shall be held at a time not less than thirty (30) days nor more than one hundred eighty (180) days from the date of notification.

History. Acts 1993, No. 945, § 1.

6-53-605. Continuation of tax.

If a technical college for which a tax is levied thereafter becomes a branch of an existing institution of higher education, the tax levied under this subchapter shall continue to be levied and collected for the use and benefit of the branch unless reduced or repealed as authorized in § 6-53-603.

History. Acts 1993, No. 945, § 1.

CHAPTER 54

OUACHITA TECHNICAL COLLEGE

SECTION.

6-54-101. Creation.

6-54-102. Effect on other laws.

6-54-103. Rights and privileges.

SECTION.

6-54-104. Administration.

6-54-105. Accreditation — Abolishment.

A.C.R.C. Notes. Acts 1991, No. 617, § 3, provided: "The technical college provided for in this act shall not be established until an additional source of funding is provided by the Seventy-Eighth Session of the Arkansas General Assembly which is specifically dedicated to financing the technical and community college system and postsecondary vocational technical schools in the Division of Vocational Technical Education of the Arkansas Department of Education."

Effective Dates. Acts 1991, No. 617, § 8: Mar. 19, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year

2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this Act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this Act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-54-101. Creation.

(a) The Arkansas Higher Education Coordinating Board shall designate Ouachita Vocational-Technical School, Malvern, as a technical college which shall become part of the Arkansas Technical and Community College System under the coordination of the board.

(b) This institution shall not have any authority to request the board's approval for associate degree programs before July 1, 1993.

(c) This institution may expand to offer courses of instruction in technical, vocational, and adult education programs and college transfer programs and may, upon a vote of the electorate, create a community college district and, if necessary, impose a millage to convert to a community college.

History. Acts 1991, No. 617, § 1.

A.C.R.C. Notes. As enacted, subsection (a) began "Effective July 1, 1991."

RESEARCH REFERENCES

UALR L.J. Survey of Legislation, 2001
Arkansas General Assembly, Education
Law, 24 UALR L.J. 453.

6-54-102. Effect on other laws.

The procedures and deadlines established in this chapter shall, for the purpose of this chapter, be in lieu of and supersede those set forth in existing laws of this state with respect to the establishment, organization, and administration of this vocational-technical postsecondary institution. Existing laws of this state shall for the purposes of this chapter apply only in those situations which are not specifically provided for in this chapter and, when applied, shall be consistent, insofar as possible, with the purpose, procedures, and deadlines contained in this chapter.

History. Acts 1991, No. 617, § 4.

6-54-103. Rights and privileges.

(a) The technical college established herein shall be subject to the same restrictions and enjoy the same privileges as any other technical college created under the chapter establishing the Arkansas Technical and Community College System.

(b) The Director of Ouachita Technical College and all other personnel employed by the school shall enjoy the same rights and privileges as personnel employed by state-supported postsecondary vocational-technical schools transferred to the Arkansas Technical and Community College System under the act establishing such system.

History. Acts 1991, No. 617, § 2.

6-54-104. Administration.

(a) Until the institution elects to become a community college, the institution shall be known as a technical college.

(b) The technical college shall work to achieve higher education institutional accreditation from the Commission on Institutions of Higher Education of the North Central Association.

(c) [Repealed].

(d) Upon the appointment of the local board, all records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the state-supported postsecondary vocational-technical institution shall be transferred to the local board.

(e) The local board shall be responsible for the administration and operation of the institution and shall be further responsible for the provision of services to meet the two-year postsecondary educational needs of those citizens located within the service area assigned the institution by the Arkansas Higher Education Coordinating Board.

History. Acts 1991, No. 617, § 1; 1997, No. 1114, § 13.

6-54-105. Accreditation — Abolishment.

If the technical college fails to achieve such accreditation within eight (8) years following the date of transfer under § 6-54-104(d), the technical college shall be abolished by the Arkansas Higher Education Coordinating Board. All records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the technical college shall be transferred to the Department of Higher Education.

History. Acts 1991, No. 617, § 1; 1995, No. 603, § 5.

CHAPTER 55

CONSTRUCTION INDUSTRY CRAFT TRAINING

SECTION.

6-55-101. Title.

6-55-102. Purpose.

6-55-103. Arkansas Construction Industry Craft Training Program — Created.

6-55-104. Arkansas Construction Industry Craft Training Program — Established.

SECTION.

6-55-105. Program plan.

6-55-106. Permit surcharge to fund programs.

6-55-107. Arkansas Construction Industry Craft Training Trust Fund — Apprenticeship program requirements.

6-55-108. Rules.

6-55-101. Title.

This chapter shall be known and may be cited as “The Arkansas Construction Industry Craft Training Act”.

History. Acts 1999, No. 474, § 1.

6-55-102. Purpose.

(a) The General Assembly recognizes that at any given time the level of activity in our national construction industry is the primary yardstick for measuring the overall economic health of this country and that the success and stability of the building business of this state are dependent upon a sufficient supply of skilled artisans and craftspeople who can produce quality projects that inspire public confidence.

(b) It is the intent of this chapter to promote a coordinated effort between the construction industry and the vocational and technical schools and colleges to enhance the availability and the competence of the work force supporting the industry by instituting a craft training program.

History. Acts 1999, No. 474, § 2.

6-55-103. Arkansas Construction Industry Craft Training Program — Created.

There is created the Arkansas Construction Industry Craft Training Program, which shall be incorporated into the curricula of existing state vocational schools, technical institutions, and two-year colleges. The program shall not cause the creation of any new schools or facilities solely to accommodate or fulfill the requirements of this chapter.

History. Acts 1999, No. 474, § 3.

6-55-104. Arkansas Construction Industry Craft Training Program — Established.

In order to provide for an efficient, competent, and resourceful construction industry training program that will enhance the development of a quality labor pool to support the building industry of this state, there is established the Arkansas Construction Industry Craft Training Program. The program will be administered by the Department of Workforce Education in collaboration with the State Apprenticeship Coordination Steering Committee created by § 6-52-204.

History. Acts 1999, No. 474, § 4.

6-55-105. Program plan.

In addition to the duties of the State Apprenticeship Coordination Steering Committee contained in § 6-52-205, the committee is authorized to develop a plan for the Arkansas Construction Industry Craft Training Program which shall include, but not be limited to, the following:

(1) Formulas and administrative procedures to be used in requesting appropriations of state funds for the program;

(2) Forms, formulas, and administrative procedures to be used in distributing funds to construction craft training programs; and

(3) Other administrative procedures or rules as may be necessary for the equitable and efficient operation of the program.

History. Acts 1999, No. 474, § 6.

6-55-106. Permit surcharge to fund programs.

(a) A surcharge in the amount of fifty cents (\$0.50) per each one thousand dollars (\$1,000) of construction authorized on any nonresidential construction permit issued by any political subdivision of this state is imposed to financially support the Arkansas Construction Industry Craft Training Program. The maximum surcharge for any construction project permitted shall be one thousand dollars (\$1,000).

(b) The office of the political subdivision issuing the permit shall be responsible for collecting the surcharge and remitting it monthly to the Department of Finance and Administration under such rules and regulations as the Chief Fiscal Officer of the State may prescribe for the collection, enforcement, and administration of the proceeds of the surcharge and shall retain five percent (5%) of each permit surcharge collected for the cost of administration.

History. Acts 1999, No. 474, § 7; 1999, No. 785, § 1.

6-55-107. Arkansas Construction Industry Craft Training Trust Fund — Apprenticeship program requirements.

(a) The net proceeds received pursuant to § 6-55-106 shall be deposited in a special trust account in the State Treasury known as the Arkansas Construction Industry Craft Training Trust Fund.

(b) Programs established or funded by the fund shall be consistent with the eight (8) criteria recommended by the federal Committee on Apprenticeship of the Employment and Training Administration Office of Work Based Learning of the Bureau of Apprenticeship and Training of the United States Department of Labor. The eight (8) essential components of an approved apprenticeship program shall include all of the following:

(1) A training strategy that combines supervised, structural on-the-job training with related theoretical instruction and is sponsored by employers or labor or management groups that have the ability to hire and train in a work environment;

(2) A training strategy that prepares an individual for skilled employment by conducting training in bona fide and documented employment settings;

(3) A training strategy with requirements that are clearly delineated in federal and state laws and regulations;

(4) A training strategy that by virtue of a legal contract, indenture, leads to a certificate of completion and official journeyman status;

- (5) A training strategy that involves a tangible and generally sizable investment on the part of the employer or labor or management program sponsor;
 - (6) A training strategy that pays wages to its participants at least during the on-the-job training phase of their apprenticeship and that increases these wages throughout the training program in accordance with a predefined wage progression scale;
 - (7) A training strategy in which participants learn by working directly under the supervision and tutelage of a master in the craft, trade, or relevant occupational area; and
 - (8) A training strategy that involves a written agreement and an implicit social obligation between the program sponsor and the apprentice.
- (c) Upon the recommendation of the State Apprenticeship Coordination Steering Committee, the Department of Workforce Education shall expend the moneys in the trust fund from time to time to support the training program prescribed in this chapter.

History. Acts 1999, No. 474, § 8.

6-55-108. Rules.

The Department of Workforce Education and the State Apprenticeship Coordination Steering Committee shall promulgate rules necessary to implement the provisions of this chapter.

History. Acts 1999, No. 474, § 5.

CHAPTER 56 **ARKANSAS STATE UNIVERSITY-BEEBE**

SECTION.

- 6-56-101. Definitions.
- 6-56-102. Name change and merger.
- 6-56-103. Board of advisors.
- 6-56-104. Effect of merger on employees.
- 6-56-105. Sick leave.
- 6-56-106. Catastrophic leave program.
- 6-56-107. Effect of merger on curriculum.

SECTION.

- 6-56-108. Purchasing.
- 6-56-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.
- 6-56-110. Work Force 2000 funding.

Effective Dates. Acts 2003, No. 359, § 11: Mar. 13, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that that Foothills Technical Institute should be renamed Arkansas State University-Searcy, A Technical Campus of Arkansas State University-Beebe; that it would benefit both Foothills Technical Institute and Arkansas State University-

Beebe to merge into one institution; that the merger of Foothills Technical Institute into the Arkansas State University System should occur at the beginning of the next fiscal year; that substantial work must be done before the merger; and that this act must become effective immediately in order for the preparatory work for the merger to be completed. Therefore, an emergency is declared to exist and this act

being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by

the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-56-101. Definitions.

As used in this chapter:

(1) "Adult education program" means any classes designed to assist students in preparing for the General Educational Development Test and any class designed to improve performance in general basic skills, parenting, English proficiency, or other areas funded by the Adult Education Section of the Department of Workforce Education; and

(2) "Applied general education courses" means courses from mathematics, communications, social sciences, and similar fields specifically addressing the employment needs of students in one (1) or more occupational programs.

History. Acts 2003, No. 359, § 1.

6-56-102. Name change and merger.

(a) Effective July 1, 2003, Foothills Technical Institute is merged with Arkansas State University-Beebe under the Arkansas State University System.

(b) Effective July 1, 2003, Foothills Technical Institute shall be known as Arkansas State University-Searcy, a technical campus of Arkansas State University-Beebe.

History. Acts 2003, No. 359, § 2.

6-56-103. Board of advisors.

(a) The Foothills Technical Institute Board of Directors shall become the Board of Advisors to Arkansas State University-Searcy, a technical campus of Arkansas State University-Beebe. The directors on June 30, 2003, shall continue their terms as members of the advisory board.

(b)(1) The Arkansas State University-Searcy local board of advisors will be appointed or reappointed by the President of the Arkansas State University System upon recommendations presented by the Chancellor for Arkansas State University-Beebe and the Vice Chancellor of Arkansas State University-Searcy.

(2) Appointment shall be for a term of five (5) years and for no more than two (2) consecutive terms.

History. Acts 2003, No. 359, § 3.

6-56-104. Effect of merger on employees.

(a) All full-time employees of Foothills Technical Institute on June 30, 2003, shall become employees of Arkansas State University-Beebe on July 1, 2003. Upon the merger, Foothills Technical Institute employees shall become Arkansas State University-Beebe employees and therefore have the same rights and opportunities as other Arkansas State University-Beebe employees.

(b) A person employed by Foothills Technical Institute on June 30, 2003, shall be employed by Arkansas State University-Searcy effective July 1, 2003, if:

- (1) Job performance is satisfactory; and
- (2) Student enrollment in the program is satisfactory.

(c) On July 1, 2003, a vice chancellor position of Arkansas State University-Searcy shall be established. The Vice Chancellor of Arkansas State University-Searcy will be a member of the senior management team at Arkansas State University-Beebe. The President of Foothills Technical Institute as of June 30, 2003, shall be the Vice Chancellor of the Arkansas State University-Searcy campus.

(d) The vice presidents of Foothills Technical Institute on June 30, 2003, shall become directors for the Arkansas State University-Searcy campus.

(e) The employees of Foothills Technical Institute as of June 30, 2003, who were the president and vice presidents shall retain and continue to receive:

(1) All options, rights, and benefits of employment granted in this section; and

(2) Any transportation benefits that accompanied the position of the President of Foothills Technical Institute.

(f) An employee who was a member of the faculty of Foothills Technical Institute on June 30, 2003, shall be deemed qualified to teach in the same level program if:

- (1) The faculty member's job performance is satisfactory; and
- (2) Student enrollment is satisfactory.

History. Acts 2003, No. 359, § 4.

6-56-105. Sick leave.

(a) As a result of the merger on June 30, 2003, all Foothills Technical Institute employees will retain and transfer all annual leave balances, sick leave balances, and retirement benefits, including a retirement match of twelve percent (12%) for employees enrolled in the alternate retirement plans.

(b) Employees who have fifty (50) or more days of accumulated sick leave as of June 30, 2003, shall continue to be eligible to receive a lump sum payment for unused sick leave at the time of retirement.

History. Acts 2003, No. 359, § 5.

6-56-106. Catastrophic leave program.

(a) Arkansas State University-Beebe shall establish a catastrophic leave program for all full-time employees of Arkansas State University-Beebe.

(b) The program shall be similar to that authorized under § 21-4-214.

History. Acts 2003, No. 359, § 6.

6-56-107. Effect of merger on curriculum.

(a) Arkansas State University-Beebe shall offer the option of applied general education courses in occupational certificate programs offered by Foothills Technical Institute in 2002-2003.

(b) Students in the programs involved may also be offered the option of college transfer general education courses in addition to the option of applied general education courses.

(c) Without regard to the higher average cost of occupational programs, all current Foothills Technical Institute programs shall continue to be offered by Arkansas State University-Beebe for as long as they meet industry needs and are fiscally effective.

(d) All adult basic education, General Educational Development Test, and high school area center programs currently provided by Foothills Technical Institute in 2002-2003 shall continue to be administered by Arkansas State University-Searcy, provided funding is available.

(e) Existing certificate and diploma programs offered at Foothills Technical Institute in 2002-2003 shall become certificate and technical certificate programs as authorized by Arkansas State University-Beebe.

History. Acts 2003, No. 359, § 7.

6-56-108. Purchasing.

Purchases by Arkansas State University-Searcy will conform to established procedures at Arkansas State University-Beebe and the Arkansas State University System.

History. Acts 2003, No. 359, § 8.

6-56-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of Foothills Technical Institute are transferred to Arkansas State University-Beebe.

(b) On July 1, 2003, all obligations of Foothills Technical Institute become obligations of Arkansas State University-Beebe.

- (c) On July 1, 2003, all records, personnel, property, unexpended balances, and all legal authority are transferred from Foothills Technical Institute to Arkansas State University-Beebe.
- (d) All cash fund balances of Foothills Technical Institute on July 1, 2003, shall be used for the operation, support, and improvement of occupational, vocational, technical, and workforce development programs of Arkansas State University-Searcy.

History. Acts 2003, No. 359, § 9.

6-56-110. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund will be provided to Arkansas State University-Beebe to fund workforce development and vocational, occupational, and training programs offered by Arkansas State University-Searcy.

History. Acts 2003, No. 359, § 10.

CHAPTER 57

ARKANSAS VALLEY TECHNICAL INSTITUTE

SECTION.	SECTION.
6-57-101. Name change and merger.	ances, and all legal authority.
6-57-102. Transfer of assets, obligations, records, personnel, property, unexpended bal-	6-57-103. Employee benefits.
	6-57-104. Work Force 2000 funding.

Effective Dates. Acts 2003, No. 452, § 4 [5]: Mar. 17, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that it would benefit both Arkansas Valley Technical Institute and Arkansas Tech University to merge into one institution; that the merger of Arkansas Valley Technical Institute into Arkansas Tech University should occur at the beginning of the next fiscal year; that substantial work must be done before the merger; and that this act must become effective immediately in order for the preparatory

work for the merger to be completed. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-57-101. Name change and merger.

- (a) Effective July 1, 2003, Arkansas Valley Technical Institute is merged with and into Arkansas Tech University and shall be governed by the Board of Trustees of Arkansas Tech University.
- (b) Effective July 1, 2003, all powers, duties, responsibility, control, and supervisory authority heretofore vested in the Board of Directors of

Arkansas Valley Technical Institute are transferred to the Board of Trustees of Arkansas Tech University, and upon transfer of the assets, books of accounts, and files of the Board of Directors of Arkansas Valley Technical Institute to the Board of Trustees of Arkansas Tech University, the Board of Directors of Arkansas Valley Technical Institute shall be divested of all obligations and duties.

(c) Effective July 1, 2003, the Arkansas Valley Technical Institute campus shall be known as Arkansas Valley Technical Institute of Arkansas Tech University.

History. Acts 2003, No. 452, § 1.

6-57-102. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of the Arkansas Valley Technical Institute are transferred to Arkansas Tech University.

(b) On July 1, 2003, all obligations of the Arkansas Valley Technical Institute become obligations of Arkansas Tech University.

(c) On July 1, 2003, all records, personnel, property, unexpended balances, and all legal authority transfer from the Arkansas Valley Technical Institute to Arkansas Tech University.

(d) All cash fund balances of Arkansas Valley Technical Institute transferred to Arkansas Tech University shall be used for the operation, support, and improvement of occupational, vocational, technical, and workforce development programs of Arkansas Tech University.

History. Acts 2003, No. 452, § 2.

6-57-103. Employee benefits.

(a)(1) Employees of Arkansas Valley Technical Institute as of June 30, 2003, who are eligible for payment of accrued sick leave upon retirement or death under § 21-4-501 shall retain that benefit.

(2) This benefit shall be paid upon the employee's retirement or death from the funds restricted to expenditures in support of Arkansas Valley Technical Institute — Ozark.

(3) Individuals employed after June 30, 2003, shall not be entitled to receive compensation under § 21-4-501.

(b)(1) Employees of Arkansas Valley Technical Institute as of June 30, 2003, who are enrolled in the alternative retirement plan and are receiving a twelve percent (12%) retirement match shall retain the benefit.

(2) Individuals employed after June 30, 2003, shall not be entitled to enroll in the alternative retirement program.

History. Acts 2003, No. 452, § 3.

6-57-104. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund shall be provided to Arkansas Tech University to fund workforce development, vocational, occupational, and training programs offered by the Arkansas Valley Technical Institute of Arkansas Tech University.

History. Acts 2003, No. 452, § 5[4].
A.C.R.C. Notes. Sections 4 and 5 of Acts 2003, No. 452 were out of order.

CHAPTER 58

NATIONAL PARK COMMUNITY COLLEGE

SECTION.	SECTION.
6-58-101. Definitions.	erty, unexpended bal-
6-58-102. Name change and merger.	ances, and all legal author-
6-58-103. Board of trustees.	ity.
6-58-104. Effect of merger on employees.	6-58-110. Work Force 2000 funding.
6-58-105. Sick leave.	6-58-111. Funding for salary equity.
6-58-106. Catastrophic leave program.	6-58-112. Conversion of positions and
6-58-107. Effect of merger on curriculum.	maximum salaries for
6-58-108. Purchasing.	Quapaw Technical Insti-
6-58-109. Transfer of assets, obligations,	tute.
records, personnel, prop-	

Effective Dates. Acts 2003, No. 678, § 13: Mar. 26, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that Garland County Community College should be renamed as National Park Community College; that it would benefit both Quapaw Technical Institute and National Park Community College to merge into one institution; that the merger of Quapaw Technical Institute into National Park Community College should occur at the beginning of the next fiscal year; that substantial work must be done before the merger; and that this act

is immediately necessary in order for the preparatory work for the merger to be completed. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

6-58-101. Definitions.

As used in this chapter:
(1) “Adult education program” means any classes designed to assist students in preparing for the General Educational Development Test, any class designed to improve performance in general basic skills, parenting, English proficiency, or other areas funded by the Adult Education Section of the Department of Workforce Education; and

(2) “Applied general education courses” means courses from mathematics, communications, social sciences, and similar fields specifically addressing the employment needs of students in one (1) or more occupational programs.

History. Acts 2003, No. 678, § 1.

6-58-102. Name change and merger.

(a) Effective July 1, 2003, Garland County Community College is renamed National Park Community College, and the Garland County Community College District is renamed National Park Community College District.

(b) Effective July 1, 2003, Quapaw Technical Institute is merged with and into National Park Community College.

(c) National Park Community College is an institution of higher education and is subject to the laws governing community colleges, except as otherwise provided in this chapter.

History. Acts 2003, No. 678, § 2.

6-58-103. Board of trustees.

(a)(1) The board member of Quapaw Technical Institute serving on June 30, 2003, and whose term is to expire in 2003, shall become a member of the Board of Trustees of National Park Community College on July 1, 2003, and the term of the board member shall expire on December 31, 2004.

(2) The board members of the Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2004 and 2005 shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The board members of Quapaw Technical Institute serving on June 30, 2003, and whose terms are to expire in 2006 and 2007 shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(b)(1) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2004, shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2004.

(2) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2006, shall become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2006.

(3) The trustees of the Garland County Community College serving on June 30, 2003, and whose terms expire on December 31, 2008, shall

become members of the Board of Trustees of National Park Community College on July 1, 2003, and their terms shall expire on December 31, 2008.

(c)(1) Three (3) trustees of National Park Community College shall be elected at the 2004 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(2) Three (3) trustees of National Park Community College shall be elected at the 2006 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(3) Three (3) trustees of National Park Community College shall be elected at the 2008 general election in the same manner and for the same terms as prescribed in § 6-61-520.

(d) No vacancy on the Board of Trustees of National Park Community College shall be filled until the number of remaining board members of National Park Community College with terms expiring on the same date equals two (2) or fewer.

History. Acts 2003, No. 678, § 3.

A.C.R.C. Notes. Acts 2003, No. 678 § 3, also provided: "A vacancy on the board of Quapaw Technical Institute or on the Board of Trustees of Garland County Community College occurring before July

1, 2003, shall not be filled unless it would cause the Board of Trustees of National Park Community College to have fewer than three (3) trustees whose terms expire in the year 2004, 2006, or 2008."

6-58-104. Effect of merger on employees.

(a)(1) All permanent nonprobationary employees of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall become employees of National Park Community College on July 1, 2003.

(2) A person who was a permanent nonprobationary employee of Quapaw Technical Institute or Garland County Community College on June 30, 2003, shall be employed by National Park Community College at least until July 1, 2008, if:

(A) Job performance is satisfactory;

(B) Student enrollment in programs is satisfactory; and

(C) Student job placements are satisfactory.

(b)(1)(A) By January 31, 2004, employees who were employed on June 30, 2003, by Garland County Community College or Quapaw Technical Institute shall have the right to make a one-time choice between:

(i) The National Park Community College Health Insurance Plan, which was formerly known as Garland County Community College Health Insurance Plan; or

(ii) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees.

(B) An employee who was employed by Quapaw Technical Institute on June 30, 2003, shall be entitled to remain in his or her same retirement system under the same conditions then provided by law or as may later be provided by law.

(2) The Board of Trustees of National Park Community College shall promulgate rules and regulations establishing the procedure for employees to exercise benefit options under this subsection.

(c)(1) Until the later of July 1, 2008, or the date a reorganization that guarantees the importance and position of technical education is adopted by the Board of Trustees of National Park Community College, the President of the Quapaw Technical Institute as of June 30, 2003, shall be the Vice President for Technical Education at National Park Community College.

(2) The employee who was the President of the Quapaw Technical Institute as of June 30, 2003, shall retain and continue to receive:

(A) All options, rights, and benefits of employment granted in subsection (b) of this section; and

(B) Any transportation benefits that accompanied the position of President of the Quapaw Technical Institute.

(d) An employee who was a member of the faculty of Quapaw Technical Institute on June 30, 2003, shall be deemed qualified to teach in the same level programs at National Park Community College if:

(1) The faculty member's job performance is satisfactory;

(2) Student enrollment is satisfactory; and

(3) Student job placements are satisfactory.

History. Acts 2003, No. 678, § 4.

6-58-105. Sick leave.

The employees of National Park Community College shall be entitled to lump sum payment for unused sick leave under a program similar to that authorized by §§ 21-4-501 and 21-4-502.

History. Acts 2003, No. 678, § 5.

6-58-106. Catastrophic leave program.

National Park Community College shall establish a catastrophic leave program for all permanent employees. The program shall be similar to that authorized under § 21-4-214.

History. Acts 2003, No. 678, § 6.

6-58-107. Effect of merger on curriculum.

(a)(1) National Park Community College shall offer the option of:

(A) Applied general education courses in occupational certificate and associate degree programs now offered by Quapaw Technical Institute; and

(B) Where appropriate to the program involved, programs now offered by Garland County Community College.

(2) Students in the programs involved may also be offered the options of college transfer general education courses in addition to the option of applied general education courses.

(b) Without regard to the higher average cost of occupational programs, all current Quapaw Technical Institute programs shall continue to be offered by National Park Community College for as long as they meet industry needs and are fiscally effective.

(c) All adult basic education, general educational development tests, and high school programs currently provided by Quapaw Technical Institute or the Garland County Community College shall continue at National Park Community College.

(d) Existing certificate and degree programs now offered at Quapaw Technical Institute or Garland County Community College shall continue to be authorized for National Park Community College until the Arkansas Higher Education Coordinating Board determines that the programs do not meet minimum standards of quality and cost-effectiveness.

History. Acts 2003, No. 678, § 7.

6-58-108. Purchasing.

(a) Purchases by National Park Community College shall continue to be made under procedures which were applicable to Garland County Community College or may be made under procedures that were applicable to Quapaw Technical Institute.

(b) Flexibility in shop purchases, parts, and house construction programs shall continue in the same manner as authorized for the original institutions.

History. Acts 2003, No. 678, § 8.

6-58-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of the Quapaw Technical Institute are transferred to National Park Community College.

(b) On July 1, 2003, all obligations of the Quapaw Technical Institute become obligations of National Park Community College.

(c) On July 1, 2003, all records, personnel, property, unexpended balances of appropriations and funds, and all legal authority will transfer from the Quapaw Technical Institute to National Park Community College.

(d) All cash fund balances of Quapaw Technical Institute transferred to National Park Community College shall be used for the operation, support, and improvement of occupational, vocational, technical, and work force development programs of National Park Community College.

History. Acts 2003, No. 678, § 9.

6-58-110. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund which would have been provided to Quapaw Technical Institute shall be provided to National Park Community College to fund work force development, vocational, occupational, and training programs offered by National Park Community College.

History. Acts 2003, No. 678, § 10.

6-58-111. Funding for salary equity.

In that funding for and achievement of salary equity among employees of National Park Community College is essential for the successful merger of Quapaw Technical Institute into National Park Community College, this chapter shall become void if, prior to May 1, 2003, the board of either Garland County Community College or Quapaw Technical Institute determines that funds are not available to achieve salary equity.

History. Acts 2003, No. 678, § 11.

6-58-112. Conversion of positions and maximum salaries for Quapaw Technical Institute.

The maximum salaries as authorized for the positions in the appropriations act for Quapaw Technical Institute shall be converted to the maximum salaries for the equivalent or similar positions as authorized in the appropriations act for Garland County Community College. The conversion of the maximum salaries shall be approved by the Department of Higher Education for line item salaries or by the Department of Finance and Administration for classified salaries and be reported to the Legislative Council.

History. Acts 2003, No. 678, § 12.

CHAPTER 59**ARKANSAS NORTHEASTERN COLLEGE****SECTION.**

- 6-59-101. Definitions.
- 6-59-102. Merger and name change.
- 6-59-103. Board of directors and ex officio board of trustees.
- 6-59-104. Effect of merger on employees.
- 6-59-105. Sick leave.
- 6-59-106. Catastrophic leave program.
- 6-59-107. Effect of merger on curriculum.

SECTION.

- 6-59-108. Purchasing.
- 6-59-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.
- 6-59-110. Work Force 2000 funding.
- 6-59-111. Funding for salary equity.

Effective Dates. Acts 2003, No. 830, § 12: Mar. 27, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that Mississippi County Community College, effective July 1, 2003, should be renamed as the Arkansas Northeastern College; that it would benefit both Cotton Boll Technical Institute and Mississippi County Community College to merge into one institution; that the merger of Cotton Boll Technical Institute into Mississippi County Community College should occur at the beginning of the next fiscal year; that substantial work must be done before

the merger; and that this act must become effective immediately in order for the preparatory work for the merger to be completed. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-59-101. Definitions.

As used in this chapter:

(1) "Adult education program" means any classes designed to assist students in preparing for the General Educational Development Test, any class designed to improve performance in general basic skills, parenting, English proficiency, or other areas funded by the Adult Education Section of the Department of Workforce Education; and

(2) "Applied general education courses" means courses from mathematics, communications, social sciences, and similar fields specifically addressing the employment needs of students in one (1) or more occupational programs.

History. Acts 2003, No. 830, § 1.

6-59-102. Merger and name change.

(a) Effective July 1, 2003, Cotton Boll Technical Institute is merged with and into Mississippi County Community College, subject to the concurrence of the Higher Learning Commission of the North Central Association of Colleges and Schools.

(b) Effective July 1, 2003, Mississippi County Community College shall be renamed and known as Arkansas Northeastern College.

History. Acts 2003, No. 830, § 2.

6-59-103. Board of directors and ex officio board of trustees.

Each board member of the Cotton Boll Technical Institute Board of Directors serving on June 30, 2003, shall become an ex officio member of the Board of Trustees of Arkansas Northeastern College on July 1, 2003, and for the remainder of his or her appointed term.

History. Acts 2003, No. 830, § 3.

6-59-104. Effect of merger on employees.

(a)(1) All permanent nonprobationary employees of Cotton Boll Technical Institute on June 30, 2003, shall become employees of Arkansas Northeastern College on July 1, 2003.

(2) A person who was a permanent nonprobationary employee of Cotton Boll Technical Institute on June 30, 2003, shall be employed by the Arkansas Northeastern College at least until July 1, 2008, if:

(A) Job performance is satisfactory;

(B) Student enrollment in programs is satisfactory; and

(C) Student job placements are satisfactory.

(b)(1)(A) By January 31, 2004, employees who were employed on June 30, 2003, by Mississippi County Community College or Cotton Boll Technical Institute shall have the right to make a one-time choice between:

(i) The Arkansas Northeastern College health insurance plan; or

(ii) The health insurance plan adopted by the State and Public School Life and Health Insurance Board for state employees.

(B) An employee who was employed by Cotton Boll Technical Institute on June 30, 2003, shall be entitled to remain in his or her same retirement system under the same conditions then provided by law or as may later be provided by law.

(C) The Cotton Boll Technical Institute employees who are classified employees of Cotton Boll Technical Institute but whose positions are deemed equivalent by Arkansas Northeastern College to nonclassified employee positions at the college may become nonclassified, and the classified position authorization is changed to nonclassified position authorization with the requisite increase in each appropriate nonclassified position allotment to the college.

(2) The Board of Trustees of Arkansas Northeastern College shall promulgate rules and regulations establishing the procedure for employees to exercise equal benefit options under this subsection.

(c)(1) The President of the Cotton Boll Technical Institute on June 30, 2003, shall be a vice president at the Arkansas Northeastern College until at least July 1, 2008.

(2) The employee who was the president on June 30, 2003, shall retain and continue to receive:

(A) All options, rights, and benefits of employment, including salary plus any adjustment authorized by the board, granted in subdivision (b)(1) of this section; and

(B) Any transportation benefits that accompanied the position of president.

(d) An employee who was a member of the faculty of Cotton Boll Technical Institute on June 30, 2003, shall be deemed qualified to teach in the same level programs at the Arkansas Northeastern College if:

(1) The faculty member's job performance is satisfactory;

(2) Student enrollment is satisfactory; and

(3) Student job placements are satisfactory.

History. Acts 2003, No. 830, § 4.

6-59-105. Sick leave.

The employees of Arkansas Northeastern College shall be entitled to lump sum payment for unused sick leave under a program similar to that authorized by §§ 21-4-501 and 21-4-502.

History. Acts 2003, No. 830, § 5.

6-59-106. Catastrophic leave program.

(a) Mississippi County Community College has established a Catastrophic Leave Program for all permanent employees. The program is similar to that authorized under § 21-4-214.

(b) All Cotton Boll Technical Institute employees who were employed by Cotton Boll Technical Institute on June 30, 2003, shall be in the Catastrophic Leave Program of the Arkansas Northeastern College.

History. Acts 2003, No. 830, § 6.

6-59-107. Effect of merger on curriculum.

(a)(1) Arkansas Northeastern College shall offer the option of:

(A) Applied general education courses in occupational certificate programs now offered by Cotton Boll Technical Institute; and

(B) Where appropriate to the program involved, programs offered by Mississippi County Community College, as of March 27, 2003.

(2) Students in the programs involved may also be offered the options of college transfer general education courses in addition to the option of applied general education courses.

(b) Without regard to the higher average cost of occupational programs, all current Cotton Boll Technical Institute programs shall continue to be offered by Arkansas Northeastern College for as long as they meet industry or student needs.

(c) All adult basic education, general educational development tests, and high school programs provided by Cotton Boll Technical Institute or the Mississippi County Community College on March 27, 2003, shall continue at the Arkansas Northeastern College.

(d) Existing certificate programs now offered at Cotton Boll Technical Institute or certificate and degree programs now offered at Mississippi County Community College shall continue to be authorized for Arkansas Northeastern College until the Arkansas Higher Education Coordinating Board determines that the programs do not meet minimum standards of quality and cost-effectiveness.

History. Acts 2003, No. 830, § 7.

6-59-108. Purchasing.

(a) Purchases by Arkansas Northeastern College shall continue to be made under procedures that were applicable to the community college or may be made under procedures that were applicable to Cotton Boll Technical Institute.

(b) Flexibility in shop purchases, parts, and house construction programs shall continue in the same manner authorized for the original institutions.

History. Acts 2003, No. 830, § 8.

6-59-109. Transfer of assets, obligations, records, personnel, property, unexpended balances, and all legal authority.

(a) On July 1, 2003, all property and other rights, claims, and assets of the Cotton Boll Technical Institute are transferred to Arkansas Northeastern College.

(b) On July 1, 2003, all obligations of the Cotton Boll Technical Institute shall become obligations of Arkansas Northeastern College.

(c) On July 1, 2003, all records, personnel, property, unexpended balances, and all legal authority transfer from the Cotton Boll Technical Institute to Arkansas Northeastern College.

(d) All cash fund balances of Cotton Boll Technical Institute transferred to Arkansas Northeastern College shall be used for the operation, support, and improvement of occupational, vocational, technical, and workforce development programs of Arkansas Northeastern College.

History. Acts 2003, No. 830, § 9.

6-59-110. Work Force 2000 funding.

Funding from the Work Force 2000 Development Fund which would have been provided to Cotton Boll Technical Institute shall be provided to Arkansas Northeastern College to fund workforce development, vocational, occupational, and training programs offered by Arkansas Northeastern College.

History. Acts 2003, No. 830, § 10.

6-59-111. Funding for salary equity.

In that funding for and achievement of salary equity among employees of Arkansas Northeastern College is essential for the successful merger of Cotton Boll Technical Institute into Arkansas Northeastern College, this chapter declares the importance of the provision through the Revenue Stabilization Law, § 19-5-101 et seq., for salary equity in addition to incremental funding increases comparable to other institutions of higher education.

History. Acts 2003, No. 830, § 11.

SUBTITLE 5. POSTSECONDARY AND HIGHER EDUCATION GENERALLY

CHAPTER 60

GENERAL PROVISIONS

SUBCHAPTER

1. GENERAL PROVISIONS.
2. ENROLLMENT AND TUITION.
3. TUITION IN NEIGHBORING STATES.
4. EXTENSION COURSES.
5. IMMUNIZATION.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-60-101. Acceptance of land grants.

6-60-102. Consolidations and mergers.

Preambles. Acts 1867, No. 28, contained a preamble which read: "Whereas, By an act of congress, entitled 'an act to amend the 5th section of an act entitled an act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2nd, 1862, so as to extend the time within which the provisions of said act shall be accepted, and such colleges established, approved 23rd July 1866, it is enacted, among other things, 'that the time in which the several states may comply with the provisions of the act of July two, eighteen hundred and sixty-two, entitled an act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts,' is thereby extended, so

that the acceptance of the benefits of said act may be expressed within three years from the passage of said amendatory act, and that the colleges required by the said act may be provided within five years from the date of the filing such acceptance with the commissioner of the general land office; and, whereas, the state of Arkansas has not, heretofore, passed any valid act of acceptance of the grant aforesaid by her legislature, in accordance with the requirements of said act of congress; and, whereas, said state is not in a condition of rebellion or insurrection against the government of the United States, now, therefore, to enable the state of Arkansas to receive the benefits of said grant by congress, and to express and signify her acceptance of the same in conformity to its provisions...."

6-60-101. Acceptance of land grants.

(a) The State of Arkansas signifies and declares her assent to the grant of land and land scrip as authorized and contained in the Act of Congress entitled, "An act donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, and altogether on the terms and conditions provided in the act, and also to the Act of Congress entitled, "An act to amend the fifth section of an act entitled, "An act

donating public lands to the several states and territories, which may provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, "so as to extend the time, within which the provisions of said act shall be accepted, and such colleges established", approved July 23, 1866.

(b) The State of Arkansas shall observe and perform the conditions contained and provided in the enactment, that is to say:

(1) The State of Arkansas will replace any portion of the fund provided by section four (4) of the act, or any portion of the interest thereon, which shall by any action or contingency be diminished or lost, so that the capital fund shall remain forever undiminished, and will apply the annual interest thereon regularly, without diminution, to the purposes mentioned in the fourth section 7 U.S.C. § 304, subject only to the exception contained in section five (5) of the Act of Congress approved July 23, 1866;

(2) The State of Arkansas, further assenting, agrees that no portion of the fund, nor the interest thereon, shall be applied directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any buildings;

(3) The State of Arkansas further agrees to provide at least one (1) college, as described in section four (4) of the Act of Congress approved July 2, 1862, and in accordance with the act amendatory of that act; and also to pay the United States the amount received of any lands previously sold to which the title of purchasers was valid;

(4) The State of Arkansas further agrees that an annual report shall be made regarding the progress of each college in accordance with paragraph four (4) of section five (5) of the Act of Congress.

History. Acts 1867, No. 28, §§ 1, 2, p. 84; C. & M. Dig., § 9504; Pope's Dig., § 13123; A.S.A. 1947, §§ 80-2849, 80-2850.

1862, referred to in this section, is codified as 7 U.S.C. §§ 301-308. Act of Congress of July 23, 1866, referred to in this section, is codified as 7 U.S.C. § 305.

U.S. Code. Act of Congress of July 2,

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-60-102. Consolidations and mergers.

(a) The purpose of this section is to create incentives for more efficient management of the public higher education resources of the State of Arkansas by allowing public higher education institutions and their boards of trustees to merge or consolidate on a voluntary basis and to consolidate administrative functions by transferring them to another institution.

(b)(1) A fund account is hereby established called the Higher Education Consolidation Matching Fund.

(2) Moneys deposited in this account shall be made available to match documented savings at public institutions of higher education that consolidate or merge.

(3) The amount of matching funds to be made available from the Higher Education Consolidation Matching Fund shall be determined by the Arkansas Higher Education Coordinating Board.

(4) Upon review and approval of the Chief Fiscal Officer of the State, the funds shall be transferred to the newly constituted or merged institution from the Higher Education Consolidation Matching Fund.

(c) The institutional consolidations and mergers eligible for matching funds under the terms of this section include:

(1) Two (2) or more public universities;

(2) Two (2) or more public two-year colleges;

(3) Community colleges and technical institutes located in the same city or the same county;

(4) New systems of public higher education institutions composed of two-year and four-year institutions under the control of a single board of trustees;

(5) Existing systems of public higher education institutions that add two-year and/or four-year institutions to the system; and

(6) Administrative function consolidation with similar services or operations at another institution.

(d)(1) Consolidations or mergers involving community colleges shall be subject to the provisions of § 6-61-519, where applicable, when the result of a consolidation or a merger requires dissolution of the community college district.

(2) Any agreements made by community colleges with other public colleges or universities to consolidate or merge are declared to be consistent with the provisions of § 6-61-524, which permits the sharing of facilities, personnel, and services by community colleges.

(e) The board is authorized, in consultation with the public colleges and universities, to develop policies, rules, and regulations to implement the provisions of this section.

History. Acts 1995, No. 287, §§ 1-5;
1995, No. 388, §§ 1-5.

SUBCHAPTER 2 — ENROLLMENT AND TUITION

SECTION.

6-60-201. Regulation of admission and enrollment — Out-of-state students.

6-60-202. Enrollment of qualified high school students as part-time students.

6-60-203. Off-campus enrollments.

6-60-204. Waiver of general student fee charges for senior citizens.

6-60-205. In-state tuition for military personnel and dependents.

SECTION.

6-60-206. Free tuition to World War I veterans.

6-60-207. Purpose.

6-60-208. Requirements.

6-60-209. Enrollment data.

6-60-210. Minor child as legal resident.

6-60-211. Tuition waiver for Arkansas National Guard soldiers and airmen.

Preambles. Acts 1923, No. 638 contained a preamble which read: "Whereas, there are now in the State of Arkansas, hundreds of Veterans of the World War who were receiving their education at the outbreak of the war, and,

"Whereas, they left school to devote their services to the country in the hour of need, and

"Whereas, these same veterans at the close of the war did not have sufficient means to continue their education,

"Therefore...."

Effective Dates. Acts 1923, No. 638, § 3: approved Mar. 23, 1923. Emergency clause provided: "This act being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared, and this act shall take effect and be in force from and after its passage."

Acts 1975, No. 145, § 2: Feb. 12, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that there has been much difficulty in classifying dependents of members of the Armed Forces as "in-state" or "out-of-state" students for the purpose of paying fees at state supported colleges and universities; that the immediate passage of this Act is necessary to clarify this problem and to accord equity and fairness to the students and at the same time protect the interests of the Arkansas higher educational institutions and that of Arkansas taxpayers. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1975, No. 678, § 3: Mar. 31, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that in many State-supported institutions of higher learning in the State, enrollment is at a low level and that some classes at such institutions are unusually small; that it is in the best interest of the citizens of this State that the educational opportunities at such institutions be made available to older citizens who wish to improve their education without the payment of tuition and fees normally charged students; that many older citizens would take advantage of the opportunity for furthering their education if such opportunity was made available without the ne-

cessity for paying tuition, and that such program would also be beneficial to the State-supported institutions in the State; that this Act is designed to permit such persons to attend college without the payment of tuition and fees and should be given effect at the earliest possible date. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1975, No. 885, § 13: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1991, No. 1000, § 6: Apr. 8, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that a statewide effort is being made to adequately train the workforce for the year 2000; that persons who did not consider postsecondary education important following their high school graduation, drop out of postsecondary education only to return at a later stage in their life when they have grown to appreciate such; that a "fresh start" should be given such students to permit them to improve their academic records upon their return to postsecondary education. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 1185, § 40: July 1, 1995. Emergency clause provided: "It is hereby

found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 2003, No. 1045, § 2: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that competition from adjoining states causes recruits for the Arkansas National Guard to leave the state for educational opportunities and funding; that the competition depletes the recruits for the military units located within the state; and that this act is immediately necessary to provide comparable educational opportunities in the state for recruits for the Arkansas National Guard. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

RESEARCH REFERENCES

ALR. Absence from or inability to attend school or college as affecting liability for or right to recover payments for tuition or board. 20 ALR 4th 303.

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 18 et seq.

C.J.S. 14A C.J.S., Colleges & U., §§ 30-32.

6-60-201. Regulation of admission and enrollment — Out-of-state students.

(a) Each board of trustees of each educational institution of higher learning supported, in whole or in part, by the State of Arkansas, shall have the right to adopt rules and regulations for the admission and enrollment of students in the respective institutions of higher learning under the control of such board of trustees, expressly including the right to refuse admission and enrollment to any person who comes to the State of Arkansas solely for the purpose of securing admission, enrollment, and educational advantages at the expense of the State of Arkansas.

(b) Each board of trustees may conduct hearings for the purpose of determining whether or not any applicant for admission and enrollment has come to the State of Arkansas for such wrongful purpose, and the findings of any such board of trustees in the State of Arkansas, after the hearing, if based on any evidence, shall be conclusive.

History. Acts 1939, No. 88, § 1; A.S.A. 1947, § 80-3301.

6-60-202. Enrollment of qualified high school students as part-time students.

(a) It is declared to be the policy of this state that qualified students enrolled in a public or private high school in this state shall upon request be accepted for enrollment in a public institution of higher education as part-time students.

(b) For purposes of this section, "qualified student" shall mean a student who is recommended for enrollment in the institution by the principal of the high school in which the student is enrolled and who meets the minimum criteria for advanced placement.

History. Acts 1983 (Ex. Sess.), No. 57,
§ 1; A.S.A. 1947, § 80-3393.

6-60-203. Off-campus enrollments.

In order to provide needed off-campus services to Arkansas citizens who do not happen to reside in the location of the main campus of a college or university, the Department of Higher Education is instructed to count and otherwise treat off-campus class enrollments consistent with the enrollments for those same classes on the main campus of the institution.

History. Acts 1975, No. 885, § 10.

6-60-204. Waiver of general student fee charges for senior citizens.

When any person sixty (60) years of age or older is admitted and enrolls as a student in any state-supported institution of higher learning in this state, the board of trustees of the institution or other appropriate institutional officials shall waive all the general student fee charges for each student on a space-available basis in existing classes. Fees will be waived only for courses organized to grant credit and recognized by the Department of Higher Education for credit.

History. Acts 1975, No. 678, § 1; 1977,
No. 525, § 1; A.S.A. 1947, § 80-3367.

6-60-205. In-state tuition for military personnel and dependents.

If a member of the armed forces is stationed in the State of Arkansas pursuant to military orders, he or she and his or her unemancipated dependents shall be entitled to classification as "in-state" for the purpose of paying fees at state-supported colleges and universities.

History. Acts 1975, No. 145, § 1;
A.S.A. 1947, § 80-3366.

6-60-206. Free tuition to World War I veterans.

All honorably discharged veterans of World War I who were citizens of the State of Arkansas at the outbreak of World War I, and who are otherwise properly qualified, shall be admitted to any school or university supported by state funds without tuition or matriculation fees. However, this section shall not apply to those veterans who are being trained under contract with the United States Government and whose tuition and matriculation fees are being paid by the government.

History. Acts 1923, No. 638, § 1; Pope's Dig., § 13173; A.S.A. 1947, § 80-3302.

6-60-207. Purpose.

(a)(1) The General Assembly hereby acknowledges that too often, persons enrolled in institutions of higher education do not appreciate the value of their postsecondary educational experience and, following a brief history of poor and failing grades, such persons decide to pursue other worldly pursuits outside the academic world. The General Assembly further finds that following a considerable passage of time, the appreciation for postsecondary educational opportunities increases in such persons to the point that they seek to return to the institution only to find that the grades they acquired during their earlier experience act as a barrier and hindrance to their academic progress.

(2) The purpose of this section is to provide a mechanism for institutions of higher education to disregard the records of such persons which prevent or impede their academic success.

(b) A student enrolled in an institution of higher education April 8, 1991, shall be eligible for academic clemency.

History. Acts 1991, No. 1000, §§ 1, 2.

A.C.R.C. Notes. Acts 1991, No. 1000, § 2, provided, in part: "Beginning with the 1991-92 school year, the State Board of Higher Education in cooperation with the institutions of higher education, shall develop guidelines which may be incorporated into the policies of the colleges and universities that provide for academic clemency for undergraduate students. Un-

der this program of academic clemency, a student returning to a college or university after a separation of a defined number of years may petition the appropriate dean to have previously earned grades and credits removed from the calculations of their cumulative grade point average. Grades and credits earned at any other college or university shall be disregarded under this program."

6-60-208. Requirements.

(a)(1) Beginning with the 2002-2003 academic year, any public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the Arkansas Higher Education Coordinating Board after consultation with the State Board of Education and pursuant to § 6-61-217 with a minimum cumulative grade point average of 2.0 on a

4.0 scale in order to be eligible for unconditional admission as an undergraduate to a public four-year institution of higher education.

(2) Nothing in this subsection (a) shall prevent a student from enrolling for the purpose of obtaining a degree or a certificate offered by a public four-year institution.

(b)(1) Subject to subsection (c) of this section and beginning with the 2002-2003 academic year, any public school student who graduates from a public high school after May 1, 2002, must have successfully completed the core curriculum recommended by the coordinating board after consultation with the state board and pursuant to § 6-61-217 in order to be eligible for unconditional admission to a public two-year institution of higher education.

(2) Nothing in this subsection (b) shall prevent a student from enrolling for the purpose of obtaining a degree or a certificate offered by a public two-year institution.

(c)(1)(A) The colleges and universities shall develop standards for collegiate admissions based on the mission of each institution and establish a conditional collegiate admissions process for each institution, subject to the recommendations of the coordinating board.

(B) The colleges and universities are hereby directed to establish standards for conditional admission for public school students who have not completed the core curriculum, subject to the recommendations of the coordinating board. At a minimum, these conditional admissions standards shall require the following:

(i) For a public school student seeking an associate of arts degree or a baccalaureate degree who failed to successfully complete the core curriculum, completion of twelve (12) hours of core academic courses and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale; or

(ii) For a public school student seeking a diploma, a technical certificate, or an associate of applied science degree who failed to successfully complete the core curriculum, completion of six (6) hours of core academic courses, six (6) hours of technical courses required for the diploma, technical certificate, or associate of applied science degree, and any necessary remedial courses with a cumulative grade point average of 2.0 on a 4.0 scale.

(2)(A) Conditional admissions standards should appropriately reflect the mission of each institution and shall be implemented by the institutions as a condition of receiving state funds.

(B) If the coordinating board does not approve the conditional collegiate admissions standards and process for an institution, no state funds shall be used to subsidize or pay for any portion of the cost associated with the conditional students.

(3) The admissions criteria set forth in this section shall not apply to those individuals who graduate from a public high school prior to May 1, 2002.

(d)(1) Beginning with the 1997-1998 academic year, conditional admissions standards for nontraditional students shall be based on the

student's score on the American College Test composite or its equivalent as defined by the Department of Higher Education, which shall issue guidelines to assist two-year and four-year institutions of higher education in developing conditional admissions standards.

(2) As used in this subsection (d), "nontraditional students" shall include those who are home-schooled or who attended private or parochial secondary schools.

(e) Nothing in this section shall prevent an institution of higher education from setting higher admissions standards for enrolling freshmen.

(f) Nothing in this section shall prevent a student from enrolling for the purpose of obtaining a degree or a certificate offered by a public two-year or four-year institution of higher education.

History. Acts 1993, No. 969, § 1; 1995, No. 1296, § 33; 1997, No. 977, § 3; 1997, No. 1290, § 1; 1999, No. 520, § 1.

"1999-2000" and "May 1, 2002" for "May 1, 1999"; substituted "May 1, 2002" for "May 1, 1999" in (c)(3); and made stylistic changes.

Amendments. The 1999 amendment, in (a) and (b), substituted "2002-2003" for

6-60-209. Enrollment data.

(a)(1) The Legislative Joint Auditing Committee shall provide for the verification of student enrollment data of each state-supported institution of higher education.

(2) Verification of such enrollment data shall be performed during the regularly scheduled annual audit of each institution and shall be included in the final audit report for each institution.

(3) Such reports shall be made available to the Arkansas Higher Education Coordinating Board and the Legislative Council.

(b) Criteria to be used by the Division of Legislative Audit in making the verifications of enrollment data shall be established by the Legislative Joint Auditing Committee.

History. Acts 1995, No. 1185, § 33.

6-60-210. Minor child as legal resident.

(a) As used in this section, "minor child" means a child under twenty-one (21) years of age.

(b) Any minor child of a parent who is a legal resident of Arkansas shall be considered a legal resident of Arkansas for the following purposes:

(1) Admission and enrollment in a public institution of higher education; and

(2) Eligibility for a postsecondary scholarship offered by the State of Arkansas or by a public institution of higher education.

(c) In determining admission or scholarship eligibility, a public institution of higher education shall give the same consideration to an official high school transcript issued by an out-of-state school or school district on behalf of any minor child of a parent who is a legal resident

of Arkansas as a high school transcript issued by a school or school district in Arkansas.

History. Acts 1997, No. 692, § 1.

Cross References. Student assistance grant program, § 6-82-201 et seq.

6-60-211. Tuition waiver for Arkansas National Guard soldiers and airmen.

(a) Colleges, universities, community colleges, technical schools, and other postsecondary institutions of higher learning located in the State of Arkansas that directly receive funds appropriated by the General Assembly may waive up to twenty-five percent (25%) of the tuition at the institution for soldiers and airmen of the Arkansas National Guard who are participants in the Arkansas National Guard Tuition Assistance Plan.

(b) The plan shall fund the first seventy-five percent (75%) of all the tuition costs for the soldiers and airmen.

(c)(1) The Adjutant General of Arkansas shall establish and publish regulations for the eligibility and implementation of the plan.

(2) The Adjutant General's regulations shall conform to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) The Adjutant General shall provide each postsecondary institution of higher learning located in the State of Arkansas a copy of the regulations within thirty (30) days after publication.

History. Acts 2003, No. 1045, § 1.

SUBCHAPTER 3 — TUITION IN NEIGHBORING STATES

SECTION.

6-60-301, 6-60-302. [Repealed.]

SECTION.

6-60-303. Higher Education Tuition Adjustment Fund.

Publisher's Notes. Former subchapter 3, concerning students studying outside the state, was repealed by Acts 1993, No. 1259, § 13. The subchapter was derived from the following sources:

6-60-301. Acts 1970 (Ex. Sess.), No. 18, §§ 1-3; 1975, No. 152, § 11; A.S.A. 1947, §§ 80-2874, 80-2876, 80-2877.

6-60-302. Acts 1973, No. 745, §§ 1-3; A.S.A. 1947, §§ 80-2891, 80-2891.1, 80-2891.2.

6-60-303. Acts 1969, No. 483, §§ 1-4; 1977, No. 614, § 1; A.S.A. 1947, §§ 80-2879 — 80-2882.

6-60-304. Acts 1985, No. 218, §§ 1-3; A.S.A. 1947, §§ 80-2896 — 80-2896.2.

6-60-305. Acts 1973, No. 113, §§ 1-3.

For present law, see §§ 6-81-1101 and 6-81-1102.

Effective Dates. Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this

Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 2001, No. 1612, § 42: July 1, 2001. Emergency clause provided: "It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period;

that the effectiveness of this Act on July 1, 2001 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2001."

6-60-301, 6-60-302. [Repealed.]

Publisher's Notes. These sections, concerning the Higher Education Tuition Adjustment Fund, were repealed by Acts 2001, No. 1612, §§ 30, 31. The sections

were derived from the following sources:

6-60-301. Acts 1995, No. 1185, § 34.

6-60-302. Acts 1997, No. 342, § 39.

6-60-303. Higher Education Tuition Adjustment Fund.

(a) HIGHER EDUCATION TUITION ADJUSTMENT FUND.

(1) The Higher Education Tuition Adjustment Fund is hereby created upon the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State.

(2) The fund shall consist of those revenues that are allocated to it by law.

(b) PURPOSE OF THE FUND.

(1) It is the intent of the General Assembly that this fund ensure that bona fide Arkansas income taxpayers and their dependents who are residents of a bordering state in a contiguous county to the Arkansas state line which is contiguous to a county where an institution of higher education is located receive the same higher education opportunities as all other taxpayers.

(2) In establishing this policy, it is the intent of the General Assembly that taxpayers should have affordable access to the state's higher education institutions.

(c) TRACKING AND REPORTING.

(1) Furthermore, the Department of Higher Education will require each institution to track and report the number of qualifying students each year.

(2)(A) A list of students who benefit from the out-of-state tuition waiver, including their social security numbers or their Arkansas taxpaying parents' or guardians' names and social security numbers, will be furnished by the Department of Higher Education to the Department of Finance and Administration for confirmation that

they or their parents are employed in Arkansas at a wage in excess of five thousand five hundred dollars (\$5,500) per annum.

(B) Documentation should be either an official W-2 form from an Arkansas employer reflecting wages of at least five thousand five hundred dollars (\$5,500) in the tax year prior to enrollment in college or official employer verification of a current year salary minimum of at least five thousand five hundred dollars (\$5,500), which the college will keep on file for enrollment audit purposes.

(d) APPROPRIATION TRANSFER PROCEDURES.

(1) The Director of the Department of Higher Education shall determine the difference between the amount of tuition revenue which would have been generated by charging the Arkansas Higher Education Coordinating Board-approved out-of-state tuition rate to the students as compared to the approved in-state or out-of-district rate.

(2) Upon the determination, the director shall certify to the Chief Fiscal Officer of the State and the Treasurer of State those amounts that are required to be transferred from the fund.

(3) Upon receiving the certification, the Chief Fiscal Officer of the State and the Treasurer of State shall cause to be transferred the necessary funds and appropriation to the fund account of the institution receiving certification from the director.

(4) In order to provide funding for the appropriation set out in the line item entitled Tuition Adjustment in the biennial operations appropriation act for the Department of Higher Education, the Chief Fiscal Officer of the State shall transfer to the Higher Education Tuition Adjustment Fund from the Higher Education Grants Fund Account three hundred fifty thousand dollars (\$350,000) for each year of the biennium.

History. Acts 1997, No. 1211, § 28; 2001, No. 1612, § 32.

Amendments. The 2001 amendment, in (d)(4), substituted "the line item ... Department of Higher Education" for "Item (15) of Section 6 of this act," and "three

hundred fifty thousand dollars (\$350,000)" for "two hundred fifty thousand dollars (\$250,000)."

Cross References. Higher Education Tuition Adjustment Fund, § 19-5-1076.

SUBCHAPTER 4 — EXTENSION COURSES

SECTION.

6-60-401. Purpose and intent of subchapter.

6-60-402. Authorization to establish extension courses.

SECTION.

6-60-403. Guidelines.

6-60-404. Facilities.

6-60-401. Purpose and intent of subchapter.

(a) The purpose of this subchapter is to make available to an increasing number of citizens of this state opportunities to obtain the benefits of courses of instruction at a college level.

(b) It is the intent of this subchapter to authorize state-supported institutions of higher learning to establish within communities in the

areas served by the institutions extension courses designed to meet the specific educational and training needs of the communities served, without the necessity of constructing new or additional campuses, or without the construction of new classroom buildings or facilities.

History. Acts 1975, No. 717, §§ 1, 3;
A.S.A. 1947, §§ 80-3368, 80-3370.

6-60-402. Authorization to establish extension courses.

(a) The boards of trustees of state-supported institutions of higher learning of this state are authorized to establish in communities in the areas served by the respective institutions, where there is an established need therefor, extension courses of higher education instruction leading to a certificate or college credit.

(b) Such courses or programs of instruction or training may be scheduled on a daily or night basis, whichever is necessary to meet the educational or training needs of the communities served.

History. Acts 1975, No. 717, § 1;
A.S.A. 1947, § 80-3368.

6-60-403. Guidelines.

All extension courses offered by colleges and universities shall meet the guidelines of the "State Plan for Off-Campus Higher Education Instruction", as adopted by the Arkansas Higher Education Coordinating Board.

History. Acts 1975, No. 717, § 2;
A.S.A. 1947, § 80-3369.

6-60-404. Facilities.

(a) The courses of instruction and training provided for in this subchapter shall be provided in local facilities in the communities served which are made available by the community without cost to the state-supported institution of higher learning, or which are made available on a rental or lease basis whereby the institution's rental or lease obligation shall not exceed fifty percent (50%) of the rental or lease cost therefor, with the remainder of the rental or lease cost to be provided from local sources within the communities served.

(b) The courses of instruction or training programs may be established on the campuses of vocational-technical schools or in existing public classroom facilities, upon agreements entered into by the boards of trustees of the state-supported institutions of higher learning involved and the administrators or boards in charge of the vocational-technical school programs or school districts.

History. Acts 1975, No. 717, § 1;
A.S.A. 1947, § 80-3368.

SUBCHAPTER 5 — IMMUNIZATION**SECTION.**

6-60-501. Purpose.

6-60-502. Proof of immunity.

6-60-503. Rules and regulations — Enforcement.

SECTION.

6-60-504. Physical disabilities — Religious objections.

Effective Dates. Acts 2003, No. 999, § 4[5]: Apr. 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the federal District Courts for the Eastern and Western Districts of Arkansas have held the state's school immunization statute to be unconstitutional, that the courts have stayed the effect of the finding, that if the stay is lifted before this act becomes effective, some students will be excluded from school attendance.

Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-60-501. Purpose.

(a) Immunizations against measles, rubella, and other communicable diseases have resulted in a dramatic decrease in the incidence of these diseases in this country.

(b) However, these diseases continue to occur on campuses of American colleges and universities, and a more intensified effort is needed to prevent and control these diseases.

(c) A requirement that certain college and university enrollees furnish proof that they have immunity against certain communicable diseases will alleviate the potential for an outbreak of those diseases.

(d) The purpose of this legislation is to assure that certain enrollees of public and private colleges and universities in Arkansas, prior to attendance, furnish proof of immunity against measles, rubella, and other diseases designated by the State Board of Health.

History. Acts 1987, No. 141, § 1.

6-60-502. Proof of immunity.

No part-time student housed in on-campus premises and no full-time student may attend a public or private college or university in this state unless he or she has furnished proof, within such time as set by the college or university, but not to exceed thirty (30) calendar days after enrollment, by way of an official record from another educational institution in Arkansas or a certificate from a licensed medical doctor or an authorized public health department representative, that he or she has immunity against measles, rubella, and such other diseases as delineated by the State Board of Health.

History. Acts 1987, No. 141, § 2.

6-60-503. Rules and regulations — Enforcement.

(a) The State Board of Health is empowered to promulgate rules and regulations for the proper enforcement of the provisions of this subchapter, including, but not limited to, the authority to examine records and conduct investigations to assure compliance.

(b) The responsibility for the enforcement of these requirements rests with the directors of admissions or registration at each college or university.

History. Acts 1987, No. 141, § 3.

6-60-504. Physical disabilities — Religious objections.

(a) If, at the discretion of a medical doctor licensed to practice in Arkansas, an individual is deemed to have a physical disability which may contraindicate one (1) or more of the vaccinations required by this subchapter, a certificate approved by the Department of Health and signed by the medical doctor may be accepted in lieu of proof of vaccination.

(b)(1) The provisions of this subchapter shall not apply if the individual furnishes to the college or university a letter of exemption from the department.

(2)(A) The individual shall complete an annual application process developed in the rules and regulations of the department for medical, religious, and philosophical exemptions.

(B) The rules and regulations developed by the department for medical, religious, and philosophical exemptions shall include, but not be limited to:

(i) A notarized statement requesting a religious, philosophical, or medical exemption from the department by the individual regarding the objection;

(ii) Completion of an educational component developed by the department that includes information on the risks and benefits of vaccination;

(iii) An informed consent from the individual that shall include a signed statement of refusal to vaccinate based on the department's refusal-to-vaccinate form; and

(iv) A signed statement of understanding that:

(a) At the discretion of the department, the unimmunized child or individual may be removed from day care or school during an outbreak if the child or individual is not fully vaccinated; and

(b) The child or individual shall not return to school until the outbreak has been resolved and the department approves the return to school.

(3) No exemptions may be granted under this subsection until the application process has been implemented by the department and completed by the applicant.

History. Acts 1987, No. 141, § 4; 2003, No. 999, § 2.

Amendments. The 2003 amendment redesignated former (b) as present (b)(1) and substituted "a letter of exemption from the department" for "written proof

from a church or denomination official that the immunization conflicts with the religious tenets and practices of the recognized church or religious denomination of"; and added (b)(2) and (3).

CHAPTER 61

POSTSECONDARY INSTITUTIONS GENERALLY

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. ARKANSAS HIGHER EDUCATION COORDINATING BOARD.
3. ESTABLISHMENT AND EXPANSION.
4. GRANT PROGRAMS.
5. COMMUNITY COLLEGES GENERALLY.
6. COMMUNITY COLLEGES — FINANCES.
7. RICH MOUNTAIN COMMUNITY COLLEGE.
8. ARKANSAS RESEARCH DEVELOPMENT ACT.
9. OFFICE OF ACCOUNTABILITY.
10. TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENT ACT.
11. UNIVERSITY OF ARKANSAS AT FORT SMITH.
12. SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-9 may not apply to §§ 6-61-113 — 6-61-124, 6-61-127, 6-61-128, 6-61-222 — 6-61-224, 6-61-525, 6-21-526, 6-61-528 — 6-61-533, 6-61-613, 6-61-708, and subchapters 10-12 which were enacted subsequently.

Acts 1995, No. 1297, § 2, provided: "(a) There is created the Arkansas Higher Education Funding Study Commission. It shall be composed of four (4) persons appointed by the Arkansas Higher Education Council, four (4) persons appointed by the State Board of Higher Education, six

(6) persons appointed by the Co-Chairmen of the Joint Interim Committee on Education, and six (6) persons appointed by the Governor.

"(b) The Arkansas Higher Education Funding Study Commission shall conduct its study of institutional missions, funding for capital projects, and other funding issues related to institutional missions and report the results of its study, along with any recommendations, to the Governor and the Joint Interim Committee on Education on or before December 1, 1995."

RESEARCH REFERENCES

ALR. Liability of university, college, or other school for failure to protect student from crime. 1 ALR 4th 1099.

Tort liability of public schools and institutions of higher learning for educational malpractice. 1 ALR 4th 1139.

Mental or physical illness as basis of

dismissal of student from school, college, or university. 17 ALR 4th 519.

Privileged nature of statements or utterances by members of governing body of public institution of higher learning in course of official proceedings. 33 ALR 4th 632.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

6-61-101. Definition.

6-61-102. Applicability of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

6-61-103. Powers and duties of existing governing boards unaffected by §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

6-61-104. Program transfers.

6-61-105. Course in American history and civil government required.

6-61-106. Course in United States Constitution and American institutions and ideals required.

6-61-107. Courses in conservation of natural resources — Teachers required to take course.

6-61-108. Eye protection required.

6-61-109. Driver education and training programs.

6-61-110. Testing of entering freshmen for remedial courses.

6-61-111. Student assessment programs.

SECTION.

6-61-112. Students called into military service.

6-61-113. References to race.

6-61-114. Standardized rising junior test — Annual report.

6-61-115. Arkansas Institution for Advocacy for the Blind.

6-61-116. Arkansas Board for the Institution for Advocacy for the Blind — Created.

6-61-117. Arkansas Board for the Institution for Advocacy for the Blind — Powers.

6-61-118. Arkansas Institution for Advocacy for the Deaf.

6-61-119. Arkansas Board for the Institution for Advocacy for the Deaf — Created.

6-61-120. Arkansas Board for the Institution for Advocacy for the Deaf — Powers.

6-61-121. Higher education minority retention programs — Definition.

6-61-122. Higher education minority retention programs — Establishment — Reports.

6-61-123. Meningococcal disease warning.

6-61-124. Reporting minority enrollment.

6-61-125. American Sign Language as foreign language.

6-61-126. Electronic communication — Privacy policy.

6-61-127. Arkansas Higher Education Performance Reporting System.

6-61-128. Restrictions on use of social security numbers.

Preambles. Acts 1939, No. 312 contained a preamble which read: "Whereas, Natural Resources are the foundation of all social and industrial prosperity, the very existence of our youth being dependent upon them; and

"Whereas, the conservation of our natural resources is so intimately connected with the welfare of our people and should, therefore, be considered as proper subject matter of fundamental education..."

Effective Dates. Acts 1923 (1st Ex. Sess.), No. 31, § 6: approved Oct. 20,

1923. Emergency clause provided: "This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist and said Act shall take effect and be in force from and after its passage."

Acts 1939, No. 312, § 8: Mar. 15, 1939.

Acts 1965, No. 48, § 4: effective at beginning of 1965-66 school year.

Acts 1977, No. 560, § 30: Mar. 21, 1977.

Emergency clause provided: "It has been found and is hereby determined by the

General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after passage and approval."

Acts 1979, No. 820, § 4: Apr. 10, 1979. Emergency clause provided: "It has been found by the General Assembly that coordination of acquisitions of data processing equipment or services by public colleges or universities is important to the effective expenditure of public funds. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1991, No. 1101, § 45: Apr. 9, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a

two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1992 (1st Ex. Sess.), No. 25, § 7: Mar. 5, 1992. Emergency clause provided: "It is hereby found and determined by the General Assembly that some of the language in the law establishing the University of Central Arkansas is obsolete and should be eliminated as soon as possible. Since this act will eliminate the obsolete language, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-61-101. Definition.

As used in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed], unless the context otherwise requires, "data processing" shall mean an automated process for data collection and the conversion of data into usable form or storage, including the planning, development, and implementation thereof, through the use of electronic or analogous data processing equipment, including computer systems, components of computer systems, and other necessary support equipment used in the automated process. This definition may be altered to include or exclude equipment or services in response to changes in data processing technology with the approval of the Arkansas Communications Study Committee as established by § 10-3-1201 et seq. [repealed].

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

6-61-102. Applicability of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

SAU-Tech and the El Dorado Branch of Southern Arkansas University shall be exempt from the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 6; A.S.A. 1947, § 80-4906; Acts 1993, No. 447, § 1.

Publisher's Notes. Acts 1993, No. 447, § 11, provided: "Hereafter the institution formally known as the Southwest Technical Institute Division of Southern Arkansas University or the Southwest Technical Branch shall be known and referred to as SAU-Tech."

6-61-103. Powers and duties of existing governing boards unaffected by §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

Nothing in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] shall in any way affect the terms of office or tenure of the governing boards, nor any of the powers and duties vested in the boards in the internal management of the affairs of their respective institutions.

History. Acts 1977, No. 560, § 25; A.S.A. 1947, § 80-4925.

6-61-104. Program transfers.

In the event that a program is transferred from one state-supported university to another state-supported university which such transfer was not proposed to or acted upon by the Arkansas Higher Education Coordinating Board prior to the final consideration by the General Assembly of the receiving university's budget request for the next biennium and such program has been recommended by the board under the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed], the receiving university may use the transferring university's maximum annual salary limits for similar faculty positions which were transferred.

History. Acts 1983, No. 147, § 12, as added by Acts 1985, No. 845, § 2; A.S.A. 1947, § 80-5612.

6-61-105. Course in American history and civil government required.

(a) No college or university, normal school, or chartered institution of learning shall, under the authority of the State of Arkansas, grant to any student any baccalaureate degree unless he or she has passed a course in American history or civil government.

(b) Any teacher, official, officer, or person violating any of the provisions of this section shall be liable for a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500), or imprisonment in the county jail for a term of not less than thirty (30) days and not more than six (6) months, or both.

(c) A violation of any of the provisions of this section shall be sufficient grounds for the discharge or removal of the teacher, official, or officer violating this section and, in the case of a corporation, shall be sufficient grounds for revoking its charter.

(d) The Department of Higher Education is directed to see to the strict carrying out of this section and is authorized to take such steps and measures as may be necessary to effectuate its provisions.

History. Acts 1923, No. 614, §§ 4, 5; Pope's Dig., §§ 3602, 3603, 11732, 11733; A.S.A. 1947, §§ 80-1615, 80-1616; Acts 2003, No. 267, § 1.

Publisher's Notes. Acts 1923, No. 614, § 5, was also codified as § 6-16-109 [repealed].

Amendments. The 2003 amendment substituted "any baccalaureate degree un-

less he or she has passed a course in American history or civil government" for "any degree unless he has passed a course in American history and civil government equivalent to that provided for in § 6-16-109" in (a).

Cross References. Applicability of §§ 6-61-105 and 6-61-106 to medical and pharmacy school students, § 6-64-415.

6-61-106. Course in United States Constitution and American institutions and ideals required.

(a) All colleges and universities in this state that are sustained or in any manner supported by public funds shall give instructions in the essentials of the United States Constitution, including the study of and devotion to American institutions and ideals.

(b) No student in the colleges, universities, or other educational institutions shall receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution.

(c) The instruction provided for in subsection (a) of this section shall be given in all junior and senior classes of colleges, universities, and educational institutions.

(d) Willful neglect or failure on the part of the president or teacher or other officer of any normal or other school or college to observe and carry out the requirements of this section shall be sufficient cause for the dismissal or removal of that party from his or her position.

History. Acts 1923 (1st Ex. Sess.), No. 31, §§ 1, 2, 4; 2003, No. 267, § 2.

Publisher's Notes. Acts 1923 (1st Ex. Sess.), No. 31, §§ 1, 2, and 4, were also codified as § 6-16-110.

Amendments. The 2003 amendment

substituted "colleges and universities" for "colleges, universities, and other educational institutions" in (a).

Cross References. Applicability of §§ 6-61-105 and 6-61-106 to medical and pharmacy school students, § 6-64-415.

6-61-107. Courses in conservation of natural resources — Teachers required to take course.

All of the state institutions of higher education shall give instruction in nature study and the conservation of natural resources, including fish and game, soil fertility and erosion, forests and minerals, and all students in the institutions preparing to be teachers shall be required to take such courses of instruction.

History. Acts 1939, No. 312, § 1; A.S.A. 1947, § 80-1620.

6-61-108. Eye protection required.

(a) Every student and teacher in the colleges and universities of this state participating in any of the following courses is required to wear industrial-quality eye protective devices at all times while participating in the following courses or laboratories:

(1) Vocational or industrial arts shops or laboratories involving experience with:

(A) Hot molten metals;

(B) Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;

(C) Heat treatment, tempering, or kiln firing of any metal or other materials;

(D) Gas or electric arc welding;

(E) Any of the processes listed in this section which may be used for repairing a vehicle; and

(F) Caustic or explosive materials; and

(2) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

(b) The boards of trustees of the state-supported institutions of higher learning in this state may in their discretion:

(1) Purchase eye protective devices and furnish them free to students and teachers;

(2) Purchase eye protective devices and sell or rent the devices to students and teachers; or

(3) Require students and teachers to furnish their own protective devices without cost to the school, college, or university.

(c) As used in this section, "industrial-quality eye protective devices" means devices meeting the standards of the American standard safety code for head, eye, and respiratory protection, Z2. 1-1959, promulgated by the American Standards Association, Incorporated.

History. Acts 1965, No. 48, §§ 1-3; §§ 1-3, are also codified as §§ 6-10-113 A.S.A. 1947, §§ 80-1634 — 80-1636. and 6-51-102.

Publisher's Notes. Acts 1965, No. 48,

6-61-109. Driver education and training programs.

(a) Any state-supported institution of higher learning offering an approved driver education and training course as a part of a program for the training of teachers of driver education may apply for and shall receive from the Department of Education the sum of twenty dollars (\$20.00) for each high school student completing the course.

(b) Any state-supported institution of higher learning receiving funds under this section and §§ 6-16-501 — 6-16-506 [repealed] must offer the training to high school students subject to the rules and regulations promulgated by the State Board of Education for accredited driver education courses in the high schools.

History. Acts 1967, No. 335, § 1; 335, § 1, was also codified as § 6-16-501 A.S.A. 1947, § 80-1637. [repealed].

Publisher's Notes. Acts 1967, No.

6-61-110. Testing of entering freshmen for remedial courses.

(a) All first-time entering freshmen at all state-supported colleges and universities in Arkansas who are admitted to enroll in all associate or bachelor's degree programs shall be tested by the admitting institution for purposes of placement in either college-level credit courses in English and mathematics or remedial courses in English composition, reading, and mathematics.

(b) Remedial courses shall not provide credit toward a degree.

(c)(1) The Arkansas Higher Education Coordinating Board shall determine the tests to be used, the testing procedures and exemptions, and the minimum scores below which students at all institutions must take remedial courses.

(2) The board shall base these decisions on consultation with representatives of the institutions of higher education, analysis of the placement procedures presently used by institutions in Arkansas, statewide placement testing programs in other states, and pilot projects involving testing of entering freshmen at selected institutions in Arkansas.

History. Acts 1991, No. 1101, § 23; 1999, No. 508, § 3.

A.C.R.C. Notes. Former § 6-61-110, concerning the testing of entering freshmen for remedial courses, is deemed to be superseded by this section. The former section was derived from Acts 1989 (1st Ex. Sess.), No. 160, § 21. A similar provision which was also codified as § 6-61-

110, and was previously superseded, was derived from Acts 1987, No. 1052, §§ 19, 20.

Amendments. The 1999 amendment substituted "Arkansas Higher Education Coordinating Board" for "State Board of Higher Education" in (c); and made stylistic changes.

6-61-111. Student assessment programs.

(a) Beginning with the fall 1991 semester, each state-supported institution of higher education shall implement an assessment program to evaluate student learning of general education core curriculum.

(b) The student outcomes assessment program developed by each institution shall be approved by the Arkansas Higher Education Coordinating Board prior to implementation.

History. Acts 1989, No. 98, § 3.

6-61-112. Students called into military service.

(a) When any person is activated for full-time military service during a time of national crisis and therefore is required to cease attending a state-supported postsecondary educational institution without completing and receiving a grade in one (1) or more courses, the following assistance shall be required with regard to courses not completed:

(1) Such student shall receive a complete refund of tuition and such general fees as are assessed against all students at the institution.

(A) Proportionate refunds of room, board, and other fees which were paid to the institution shall be provided to the student, based on the date of withdrawal.

(B) If an institution contracts for services covered by fees which have been paid by and refunded to the student, the contractor shall provide a like refund to the institution.

(2) If the institution has a policy of repurchasing textbooks, students shall be offered the maximum price, based on condition, for the textbooks associated with such courses.

(b) When a student is required to cease attendance because of such military activation without completing and receiving a grade in one (1) or more courses, the institution shall provide a reasonable opportunity for completion of the courses after deactivation.

(c) A student activated during the course of a semester shall be entitled, within a period of two (2) years following deactivation, to free tuition for one (1) semester at the institution where attendance had been interrupted unless federal aid is made available for the same purpose.

History. Acts 1991, No. 310, §§ 1-3.

6-61-113. References to race.

All public institutions of higher education in this state shall remove all unconstitutional or illegal references to race from the charters, bylaws, or rules of the institutions.

History. Acts 1992 (1st Ex. Sess.), No. 25, § 3.

A.C.R.C. Notes. References to "this chapter" in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-114. Standardized rising junior test — Annual report.

(a)(1) Until such time as the Arkansas Higher Education Coordinating Board approves other assessment processes or exams to be used by Arkansas colleges and universities, the Collegiate Assessment of Academic Proficiency Exam, known as the “rising junior exam”, shall be the required exam to be taken by all Arkansas public college and university students at the end of the sophomore year to evaluate student learning in the general education curriculum established under § 6-61-218, the results of which shall be evaluated in light of each institution’s mission and goals.

(2)(A) On or before the October 2001 meeting of the board, the Department of Higher Education shall recommend to the board criteria and guidelines to use when considering the adequacy of other assessment processes or exams proposed for use at Arkansas public colleges and universities in lieu of the Collegiate Assessment of Academic Proficiency Exam.

(B) The criteria and guidelines proposed by the department shall be developed in consultation with the Executive Council of the Presidents Council.

(3) After receiving the recommendation of the department, the board shall promulgate rules and set guidelines for approving alternative processes or exams for use by Arkansas public colleges and universities in lieu of the Collegiate Assessment of Academic Proficiency Exam and shall provide the guidelines to the Arkansas public colleges and universities.

(4) After the board has adopted rules and guidelines, public colleges and universities may request approval of other assessment processes or exams to be taken by that institution’s students or used by the institution at the end of the sophomore year to evaluate student learning in the general education curriculum established under § 6-61-218, the results of which shall be evaluated in light of each institution’s mission and goals.

(b) Except as provided in subsection (a) of this section, the “rising junior test” shall be given annually by all public colleges and universities in Arkansas, with the first statewide administration to take place by the end of the 1994-1995 academic year.

(c) The board, after consultation with the public colleges and universities, is hereby authorized to adopt policies and procedures to implement this section.

(d) These policies and procedures shall be implemented by the public colleges and universities as a condition of receiving state funds.

(e)(1) The board shall report the statewide test results on an annual basis to the House Interim Committee on Education and the Senate Interim Committee on Education.

(2) The board shall provide a status report regarding approval of alternative processes or exams as set forth in subsection (a) of this section to the House Interim Committee on Education and the Senate Interim Committee on Education on or before December 31, 2002.

History. Acts 1993, No. 874, §§ 1, 2; 1999, No. 478, § 3; 2001, No. 1085, § 1.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

Amendments. The 1999 amendment substituted “Arkansas Higher Education Coordinating Board” for “State Board of Higher Education” in (a); rewrote (e); and made stylistic changes.

The 2001 amendment rewrote this section.

6-61-115. Arkansas Institution for Advocacy for the Blind.

(a) There is created the Arkansas Institution for Advocacy for the Blind. The institution shall be an institution of learning to train individuals to become advocates for the blind and to provide the information to the public concerning the needs and rights of blind citizens.

(b) The institution may provide educational services through a cooperative venture with one (1) or more institutions of higher education.

(c) The educational program of the institution shall not duplicate any social, rehabilitative, or educational programs for the blind that are in existence in the state on July 30, 1999.

History. Acts 1999, No. 853, § 1.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-116. Arkansas Board for the Institution for Advocacy for the Blind — Created.

(a) There is created the Arkansas Board for the Institution for Advocacy for the Blind.

(b)(1) The members of the board shall be appointed by the Governor as follows:

(A) Two (2) members shall be persons certified or degreed in the education of children who are visually impaired;

(B) One (1) member shall be a person who is legally blind;

(C) One (1) member shall be the parent of a legally blind child; and

(D) One (1) member shall be appointed from the general public.

(2) Appointments shall be made so that no more than two (2) members of the board shall reside in the same congressional district.

(3) The racial makeup of the board should reflect the racial population of the state as accurately as possible.

(c) The members of the board shall serve for terms of five (5) years. The initial appointees shall determine their terms by lot so that the term of one (1) member shall expire each year.

(d) The members of the board shall annually elect a chair.

(e) Meetings of the board shall be held during evening hours or on Saturdays. At least twenty (20) minutes shall be reserved at the end of each board meeting for members of the public to address the board.

(f) Each member of the board may receive expense reimbursement in accordance with § 25-16-902.

History. Acts 1999, No. 853, § 2.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-117. Arkansas Board for the Institution for Advocacy for the Blind — Powers.

The Arkansas Board for the Institution for Advocacy for the Blind may:

(1) Enter into cooperative ventures with one (1) or more institutions of higher education for the provision of facilities, equipment, and staff necessary for the institution; and

(2) Accept donations, gifts, and contributions in money, services, materials, or otherwise from any source and use or expend such moneys, services, materials, or other contributions in carrying on its operations, and accept appropriations from the state upon such terms and conditions as may be imposed by law to be used in the furtherance of this section, § 6-61-115, and § 6-61-116.

History. Acts 1999, No. 853, § 3.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-118. Arkansas Institution for Advocacy for the Deaf.

(a) There is created the Arkansas Institution for Advocacy for the Deaf. The institution shall be an institution of learning to train individuals to become advocates for the deaf and to provide the information to the public concerning the needs and rights of deaf citizens.

(b) The institution may provide educational services through a cooperative venture with one (1) or more institutions of higher education.

(c) The educational program of the institution shall not duplicate any social, rehabilitative, or educational programs for the deaf that are in existence in the state on July 30, 1999.

History. Acts 1999, No. 928, § 1.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-119. Arkansas Board for the Institution for Advocacy for the Deaf — Created.

(a) There is created the Arkansas Board for the Institution for Advocacy for the Deaf.

(b)(1) The members of the board shall be appointed by the Governor as follows:

(A) Two (2) members shall be persons certified or degreed in the education of children who are deaf;

(B) One (1) member shall be a person who is legally deaf;

(C) One (1) member shall be the parent of a legally deaf child; and

- (D) One (1) member shall be appointed from the general public.
- (2) Appointments shall be made so that no more than two (2) members of the board shall reside in the same congressional district.
- (3) The racial makeup of the board should reflect the racial population of the state as accurately as possible.
- (c) The members of the board shall serve for terms of five (5) years. The initial appointees shall determine their terms by lot so that the term of one (1) member shall expire each year.
- (d) The members of the board shall annually elect a chair.
- (e) Meetings of the board shall be held during evening hours or on Saturdays. At least twenty (20) minutes shall be reserved at the end of each board meeting for members of the public to address the board.
- (f) Each member of the board may receive expense reimbursement in accordance with § 25-16-902.

History. Acts 1999, No. 928, § 2.	125, 6-61-126 and subchapters 2-9 may
A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-	not apply to this section which was enacted subsequently

6-61-120. Arkansas Board for the Institution for Advocacy for the Deaf — Powers.

The Arkansas Board for the Institution for Advocacy for the Deaf may:

- (1) Enter into cooperative ventures with one (1) or more institutions of higher education for the provision of facilities, equipment, and staff necessary for the institution; and
- (2) Accept donations, gifts, and contributions in money, services, materials, or otherwise from any source and use or expend such moneys, services, materials, or other contributions in carrying on its operations, and accept appropriations from the state upon such terms and conditions as may be imposed by law to be used in the furtherance of this section, § 6-61-118, and § 6-61-119.

History. Acts 1999, No. 928, § 3.	125, 6-61-126 and subchapters 2-9 may
A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-	not apply to this section which was enacted subsequently.

6-61-121. Higher education minority retention programs — Definition.

For purposes of this section and § 6-61-122, the term “minority” refers to African-Americans, Hispanic Americans, Asian Americans, and Native Americans.

History. Acts 1999, No. 1091, § 1.	125, 6-61-126 and subchapters 2-9 may
A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-	not apply to this section which was enacted subsequently.

6-61-122. Higher education minority retention programs — Establishment — Reports.

(a) All state-supported colleges and universities shall establish a program for the retention of blacks and other members of minority groups as students, faculty, and staff. Retention action plans shall be prepared on a continuing basis for future five-year periods.

(b) Each state-supported college and university shall annually prepare a progress report on the steps that have been taken to reach the goals of the plan. The report shall include information relative to students, faculty, and staff within the institution.

(c) Copies of each institution's five-year plan and annual report shall be filed by June 30 with the Department of Higher Education, the board of trustees of the institution, the House Interim Committee on Education and the Senate Interim Committee on Education, and the board of visitors of the institution, if applicable.

(d) The department shall develop appropriate forms for reporting and shall monitor the retention plans and annual reports.

(e) In carrying out the retention action plans, each institution shall provide for a part-time or full-time employee by reassignment, appointment, or employment to assist the institution in the retention of blacks and members of other minority groups for faculty and staff positions.

History. Acts 1999, No. 1091, § 2.

125, 6-61-126 and subchapters 2-9 may

A.C.R.C. Notes. References to "this chapter" in §§ 6-61-101 — 6-61-112, 6-61-

not apply to this section which was enacted subsequently.

6-61-123. Meningococcal disease warning.

Each college or university shall advise students and their parents or guardians of the increased risk of meningococcal disease in students who live in close quarters, such as college or university dormitories. The college or university shall also advise students and their parents or guardians that a vaccination is available against the potentially fatal meningococcal disease.

History. Acts 1999, No. 1233, § 1.

125, 6-61-126 and subchapters 2-9 may

A.C.R.C. Notes. References to "this chapter" in §§ 6-61-101 — 6-61-112, 6-61-

not apply to this section which was enacted subsequently.

6-61-124. Reporting minority enrollment.

(a) For the purposes of this section:

(1) Endorsed areas include, but are not limited to, library media specialists, gifted and talented specialists, and curriculum specialists; and

(2) The term "minority" means African-Americans, Hispanic Americans, Asian Americans, and Native Americans.

(b)(1) All state-supported colleges and universities in Arkansas shall report to the Department of Education as soon as possible after each semester a list of each minority student who:

(A) Has completed college or university requirements to receive a recommendation for licensure as a public school teacher, administrator, counselor, and other endorsed areas; and

(B) Has signed a consent form authorizing the college or university to report such information to the department.

(2) The list required in subdivision (b)(1) of this section shall indicate the name, address, and major of the student graduating with an education degree.

(c)(1) The department shall maintain a database based upon the reports provided by each college and university under subsections (a) and (b) of this section.

(2) The database shall also include the name, address, and major of any minority Arkansas resident with an education degree who requests such information to be added to the database.

(3)(A) The database shall be made accessible upon request to every public school superintendent in this state or other official designated by the superintendent for the purpose of recruiting faculty and staff.

(B) The database provided for in this section shall not be made available to any school or person located outside this state.

History. Acts 1999, No. 905, §§ 1-3.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-125. American Sign Language as foreign language.

The American Sign Language may qualify as a foreign language for the purpose of meeting general elective credit requirements for graduation from state-supported colleges and universities in Arkansas if the language is taught by a qualified instructor of American Sign Language and if the course is conducted under the supervision of an instructor at the college or university as approved by that college or university.

History. Acts 1999, No. 1269, § 1.

6-61-126. Electronic communication — Privacy policy.

(a) Each public postsecondary institution in Arkansas shall adopt a privacy policy governing electronic communications transmitted over the institution’s computer network system that are originated or received by a faculty member, staff member, or a student.

(b) No later than January 1, 2004, the computer policy shall be included in each institution’s student handbook and shall be available on each institution’s website.

(c) The privacy policy shall include provisions identifying:

(1) The types of electronic communications that are not confidential;

(2) Methods to be used by the institution to protect the confidentiality of personally identifiable electronic communications that are originated or received by a faculty member, staff member, or a student;

(3) Procedures for releasing any confidential personally identifiable electronic communication that is originated or received by a faculty member, staff member, or a student; and

(4) Any other information necessary for the institution's faculty, staff, and students to understand their rights and obligations under the policy.

(d) For purposes of this section, "electronic communication" includes any electronic mail message transmitted through the international network of interconnected government, educational, and commercial computer networks and includes messages transmitted from or to any address affiliated with an Internet site.

History. Acts 2003, No. 1799, § 1.

6-61-127. Arkansas Higher Education Performance Reporting System.

(a) The Department of Higher Education, in consultation with the institutions of higher education, shall develop an Arkansas Higher Education Performance Reporting System. The Legislative Council shall have final approval of the form and content of the performance reports to be provided to the General Assembly, the various interim committees, and the public after considering the recommendations of the House Education Committee and Senate Education Committee.

(b) To the extent possible, the Arkansas Higher Education Performance Reporting System will utilize information from the North Central Association assessment outcomes measures which are required for reaffirmation of accreditation, federal Integrated Postsecondary Education Data System report data, and data collected annually through the department's Statewide Student Information System.

(c) In developing the Arkansas Higher Education Performance Reporting System, the department will review and analyze higher education performance reporting systems used in other states so as to incorporate the best aspects of those plans.

(d) The Arkansas Higher Education Performance Reporting System will provide the General Assembly and the public with quantitative, objective information which will reveal institutional weaknesses and strengths. Performance-based reports shall be provided annually to the House Education Committee and Senate Education Committee and to the Legislative Council.

(e) To the extent possible, and taking into account the differences in institutional missions, the Arkansas Higher Education Performance Reporting System will contain uniform accountability elements which reveal trends, strengths, and weaknesses and assist policy makers, prospective students, and their parents in comparing institutions and judging the extent to which they are effectively and efficiently accomplishing their missions.

History. Acts 2003, No. 1463, § 12.
A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

6-61-128. Restrictions on use of social security numbers.

No public or private institution of higher education shall:
(1) Print a student’s or employee’s social security number or any part of the number on the student’s or employee’s identification card; or
(2) Make a student’s or employee’s social security number available by reading the magnetic strip or other encoded information on the student’s or employee’s identification card.

History. Acts 2003, No. 108, § 1.
A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 — 6-61-112, 6-61-

125, 6-61-126 and subchapters 2-9 may not apply to this section which was enacted subsequently.

SUBCHAPTER 2 — ARKANSAS HIGHER EDUCATION COORDINATING BOARD

SECTION.

- 6-61-201. Members — Meetings.
- 6-61-202. Powers and duties generally.
- 6-61-203. Director and staff — Funds — Central office.
- 6-61-204. Advisory committees and councils.
- 6-61-205. Master plan.
- 6-61-206. Studies, surveys, evaluations, etc.
- 6-61-207. Role and scope designations.
- 6-61-208. New units of instruction, research, and public service.
- 6-61-209. Budgets.
- 6-61-210. Allocation of additional state funds.
- 6-61-211. [Repealed.]
- 6-61-212. State agency for federal programs.
- 6-61-213. Administration of trusts, endowments, etc.
- 6-61-214. Review of existing degree pro-

SECTION.

- grams — Minimum standards.
- 6-61-215. Student fees.
- 6-61-216. Transfer students.
- 6-61-217. Minimum core courses for college prep.
- 6-61-218. Minimum college core — Transferability.
- 6-61-219. [Repealed.]
- 6-61-220. Retention and graduation rate information.
- 6-61-221. Reporting of graduates requiring postsecondary remediation.
- 6-61-222. Uniform reporting standards.
- 6-61-223. Funding formula — Arkansas Higher Education Coordinating Board.
- 6-61-224. Funding formula — Department of Higher Education.

Effective Dates. Acts 1971, No. 697, § 6: Apr. 20, 1971. Emergency clause provided: “It is hereby found and determined that it may be necessary to extend the regular session of the Sixty-Eighth General Assembly as authorized in the Constitution; that under the provisions of Amendment 7 to the Constitution, enactments of the General Assembly that do not have an emergency clause do not become effective until ninety (90) days after the date of final adjournment of the General

Assembly; that the extended session of the General Assembly may not adjourn in time for this Act to take effect prior to July 1, 1971, thereby depriving the agency for which funds are appropriated herein of necessary operating funds to commence the next fiscal biennium; and in order that the appropriation made herein may be available on July 1, 1971, the General Assembly hereby determines that the immediate passage of the Act is necessary for the maintenance and operation of the es-

sential governmental services. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval, provided that the appropriation authorized herein shall not be available until July 1, 1971."

Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1979, No. 820, § 4: Apr. 10, 1979. Emergency clause provided: "It has been found by the General Assembly that coordination of acquisitions of data processing equipment or services by public colleges or universities is important to the effective expenditure of public funds. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1985, No. 565, § 3: Mar. 25, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Arkansas Department of Higher Education is in urgent need of authority to assist in the administration of programs funded from private endowments and grants and that this Act is designed to give the Department such authority and should be given effect at the earliest practical date. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1989, No. 267, § 5: Mar. 1, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that current guidelines regarding the developing and reporting of accurate information in relation to the retention

and graduation rates of students and student athletes attending state-supported institution of higher education are inconsistent and inadequate and informed decisions regarding coordination, governance, financing, and academic policies of higher education would be significantly aided by the adoption of the provisions of this Act. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 1244, § 43: Apr. 17, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly that the restructuring of the delivery system of adult education and vocational education in this state is necessary to provide higher quality educational programs which are accessible by all segments of the population in this state; that recent studies have shown that in the year 2000, workers must have a minimum of fourteen (14) years education to function in the work force; that the state is in desperate need of training, retraining and upgrading the work force; that this act will provide a means to establish more institutions working closely with business and industry to provide every citizen with an opportunity to participate in vocational-technical training or college transfer programs within a reasonable driving distance of their homes; that it is necessary for this Act to become effective immediately so needed changes can be made prior to the date the institutions contained herein are transferred to the new system. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and

should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 1059, § 21: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the

operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

Acts 1997, No. 1114, § 18: May 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act abolishes the State Board of Higher Education and replaces the board with the Arkansas Higher Education Coordinating Board; and that to provide for an efficient transition and to allow the Governor a sufficient time to make appointments, this act shall become effective May 1, 1997. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on May 1, 1997."

Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-61-201. Members — Meetings.

(a)(1) The Arkansas Higher Education Coordinating Board shall consist of twelve (12) members appointed by the Governor as follows:

(A) Three (3) members shall be selected from the current or recent membership of the boards of public two-year colleges. If the person selected is serving on the membership of the board of a public two-year campus, the person shall relinquish his or her membership on the board;

(B) Three (3) members shall be selected from the current or recent membership of the boards of public four-year colleges or university campuses. If the person selected is serving on the membership of the board of a public four-year campus, the person shall relinquish his or her membership on the board; and

(C) Six (6) members shall be selected from business, industry, education, an agriculturally related industry, and medical services and shall not be current members of a board of a public two-year or four-year campus. At least one (1) of the appointees shall have a strong interest in and commitment to economic and workforce development. At least one (1) of the appointees shall have experience in the knowledge-based technology field.

(2) No more than four (4) members of the board shall be appointed from any one (1) congressional district as the districts exist at the time of the appointment.

(3) No more than two (2) members of the board at any one (1) time shall be graduates of an undergraduate program of any one (1) state university or college.

(b) After the appointment of the initial board, the members to be appointed from recent or current boards of two-year and four-year campuses shall be appointed by the Governor from a list of names submitted by the Presidents Council.

(c) Vacancies on the board shall be filled for the unexpired terms, and the appointments shall be made in the same manner for the positions vacated.

(d)(1) The members of the board shall serve staggered terms of six (6) years. The terms of two (2) members shall expire each year.

(2) The members may serve no more than two (2) terms.

(e) An intensive orientation program designed by the council shall be mandatory for board members.

(f)(1) The board shall annually elect from its membership a chair and such other officers as are necessary to carry on its business.

(2) A member shall not be eligible to serve for more than two (2), one-year terms as chair of the board.

(g)(1) The board shall meet at least one (1) time during each calendar quarter and at other times upon the call of the chair or of any other four (4) members.

(2) The board shall, at the times that it desires, meet on the campuses of the respective institutions of higher learning in the state.

(h) Members of the board shall serve without compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1977, No. 560, §§ 2, 3; A.S.A. 1947, §§ 80-4902, 80-4903; Acts 1991, No. 1244, § 4; 1997, No. 250, § 25; 1997, No. 1114, § 2; 1999, No. 1352, § 1.

A.C.R.C. Notes. As enacted, subdivision (f)(1) provided that the board divide itself "on July 1, 1991, or as soon thereafter as is practicable."

Acts 1991, No. 1244, § 36, provided: "(a) As soon as practicable upon the passage of this act, the Governor shall appoint the three (3) additional members to the State Board of Higher Education as provided in Section 4 hereof.

"(b) In addition to the qualifications set forth in Section 4 such members shall be knowledgeable in vocational education, postsecondary adult education or federal job training programs and shall be knowledgeable in business, industry, labor or economic development communities of the state, or any combination of these characteristics.

"(c) The three (3) vacancies which next occur in membership on the State Board of Higher Education shall be filled by persons meeting the qualifications set forth herein. The board shall restructure itself at such time to place such new members on the College Panel of the State Board of Higher Education."

Pursuant to § 1-2-207, this section is set out above as amended by Acts 1997, No. 1114. Subsection (e) of this section was also amended by Acts 1997, No. 250, § 25, to read as follows: "(e) Members of the board shall serve without compensation but may receive expense reimbursement in accordance with 25-16-901 et seq."

Acts 1997, No. 1114, § 1, provided: "The State Board of Higher Education is abolished and its powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds are transferred to the Arkansas Higher Education Coordinating Board created by this act."

As enacted, Acts 1997, No. 1114, § 2, also provided, "The terms of the members of the initial board shall be determined by lot so that the terms of two (2) members shall expire each year."

Acts 2003, No. 1791, §§ 1-3 provides:

"SECTION 1. (a)(1) There is established

a legislative committee to be known as the 'Two-Year College And Technical Institute Study Committee'.

"(b) The committee shall consist of thirteen (13) members as follows:

"(1) The Director of the Department of Higher Education, or his or her designee;

"(2) The Director of the Department of Workforce Education, or his or her designee;

"(3) The Executive Director of the Arkansas Association of Two-year Colleges, or his or her designee;

"(4) Three (3) persons appointed by the Governor with one (1) selected from each list of no less than five (5) names submitted by the following:

"(A) Economic Developers Association;

"(B) Arkansas Higher Education Coordinating Board; and

"(C) Arkansas Association of Two-Year Colleges;

"(5)(A) Three (3) persons appointed the President Pro Tempore of the Senate with one (1) selected from each list of no less than five (5) names submitted by the following:

"(i) Arkansas Department of Economic Development;

"(ii) The Executive Council of the Arkansas Higher Education Coordinating Board; and

"(iii) Arkansas Association of Educational Administrators; and

"(B) One (1) persons appointed the President Pro Tempore of the Senate from the Senate Committee on Education; and

"(6)(A) Three (3) persons appointed by the Speaker of the House of Representatives with one (1) selected from each list of no less than five (5) names submitted by the following:

"(1) Arkansas Chamber of Commerce;

"(2) Teamwork Arkansas; and

"(3) Farm Bureau; and

"(B) One (1) persons appointed the Speaker of the House of Representatives from the House Committee on Education.

"(c) Any list required under this act shall be submitted within twenty (20) days of the effective date of this act for initial appointments or within thirty (30) days following a vacancy.

"(d) The appointed committee members shall be:

"(1) Individuals who own, operate, or have special knowledge regarding the workforce training needs of Arkansas business and industry; and

"(2) Residents of the State of Arkansas at the time of appointment and throughout his or her term.

"(e)(1) If a vacancy occurs in an appointed position, for any reason, the vacancy shall be filled in the same manner as the original appointment.

"(2) The new appointee shall serve for the remainder of the unexpired term.

"(f) The Speaker of the House of Representatives shall name one of his or her appointees to serve as chairperson to call and chair the first organizational meeting of the committee until the membership elects a chairperson from among themselves.

"(g)(1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.

"(2) A majority of the members of the committee shall constitute a quorum for the purpose of transacting business.

"(3) All action of the committee shall be by a majority vote of the full membership of the committee.

"(h)(1) The committee shall:

"(1) Make recommendations to the Arkansas Higher Education Coordinating Board on the mission, role, and scope of technical institutes and two-year colleges in the state; and

"(2) Determine a method of structuring the technical institutes and two-year colleges in the state to ensure that Arkansas' business and industry workforce needs are being met;

"(3) Develop a set of proposals that would provide full utilization of the technical institutes and two-year colleges in shaping the future in Arkansas, a model for funding technical institutes and two-year colleges, a recommendation for the service areas of technical institutes and two-year colleges and identify sources of revenue to implement proposals;

"(4) Submit a report of its findings and recommendations to the House Interim Committee on Education and the Senate Interim Committee on Education no later than September 1, 2003.

"(i)(1) To provide support and continuity to the study, a member of the Arkansas Higher Education Coordinating Board shall be eligible to serve as many one (1) year terms as chairman of the Arkansas Higher Education Coordinating Board as deemed appropriate and necessary.

"(2)(A) Members of the committee shall serve without pay.

"(B) Non-legislative members of the committee may receive expense reimbursement in accordance with Arkansas Code § 25-16-902, to be paid by the Department of Higher Education to the extent money is available.

"(C) Legislative members of the committee shall receive per diem as allowed by Legislative Council for attendance at interim committees.

"SECTION 2. This act shall expire on March 30, 2005.

"SECTION 3. EMERGENCY CLAUSE.

It is found and determined by the General Assembly of the State of Arkansas that mission. [sic] role and scope of technical institutes and two-year colleges in the state are rapidly being lost by the various mergers and acquisitions; that vital sources of training for industry is being affected during 2003; and that this act is immediately necessary because the states training of its workforce is vital to the stability of the state. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

"(1) The date of its approval by the Governor;

"(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

"(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

Publisher's Notes. The terms of the members of the Arkansas Higher Education Coordinating Board are arranged so that one term expires on January 1 of each year.

Amendments. The 1999 amendment added the last sentence in (a)(1)(C); and made stylistic changes.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-202. Powers and duties generally.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1)(A) To receive within one (1) year of their appointment and each year thereafter a minimum of eight (8) clock hours of instruction and training, to include higher education issues, policies, laws, and the duties and responsibilities associated with the position of board member;

(B) The members of the boards of all publicly supported institutions of higher education shall receive similar instruction and training within one (1) year of their appointment or election and each year thereafter, which shall be conducted by the individual institutions;

(2) Along with its director, to be responsible, within fiscal and staff capabilities, for directing an integrated program for defining, popularizing, and securing acceptance of the major goals and objectives of higher education in Arkansas and for relating them to the state's various problems;

(3) To request and receive any information from the publicly supported institutions of higher education as the board deems necessary for the performance of its duties;

(4) To promulgate and adopt uniform definitions and forms in such matters as financial reporting, academic statistics, and resident status of students for use in making financial recommendations and standard enrollment data to be followed by the institutions of higher learning;

(5) To determine the need for and recommend to the Governor and the General Assembly the establishment and location of any new institutions and to recommend, when appropriate, changes in the names of existing state-supported institutions of higher learning;

(6) To recommend the level of funding and the method of distribution of state-supported scholarships and loan programs, and to seek the cooperation of the state-supported institutions of higher learning to develop policies to coordinate all student loan and scholarship programs, including those federally financed; and

(7) To review all proposed bond issues to be made by any public institution of higher learning and to advise the board of trustees of each of the respective institutions as to the economic feasibility thereof, as set forth in § 6-62-306.

(b) The board shall encourage the cooperation of private institutions of higher learning in its efforts to plan more effectively for the coordinated development of higher education in this state.

History. Acts 1977, No. 560, §§ 4, 24; 1979, No. 820, § 1; A.S.A. 1947, §§ 80-4904, 80-4924; Acts 1993, No. 1171, § 1.

6-61-203. Director and staff — Funds — Central office.

(a)(1)(A) The Arkansas Higher Education Coordinating Board shall appoint a director through a search and selection process that includes substantial input, review, and recommendation from the Presidents Council, subject to confirmation by the Governor.

(B) The director shall serve at the pleasure of the Governor.

(2) The director shall serve as a member of the Governor's cabinet as the advocate for higher education.

(3) The director shall be an experienced educator in the field of higher education who demonstrates competence in the field of institutional management and finance. The director and key staff must have relevant experience on a campus of higher education.

(b) The professional qualifications and salary of the director and other members of the staff employed by the board shall be comparable to those in colleges and universities.

(c) The staff of the board shall be under the direction and supervision of the director.

(d) The board shall be provided sufficient operating funds to enable it to carry out adequately the programs and functions assigned to the Department of Higher Education.

(e) The central office of the department shall be maintained in Little Rock.

(f)(1) The board shall evaluate the director annually.

(2) The council shall provide an evaluation report of the department and the director to the board at least annually.

History. Acts 1977, No. 560, § 23; A.S.A. 1947, § 80-4923; Acts 1997, No. 1114, § 3.

6-61-204. Advisory committees and councils.

(a) The Arkansas Higher Education Coordinating Board and the Presidents Council are authorized to establish advisory committees and councils as may be deemed necessary for the effective development and coordination of higher education in this state.

(b)(1) The Presidents Council shall be composed of all presidents and chancellors of public two-year and four-year colleges and universities.

(2) The council shall meet at least quarterly.

(3) This council shall serve in a strong advisory capacity to the director and to the board.

(4) All board items must be reviewed by this council prior to being placed on the board's agenda.

(c)(1)(A) There is created the Executive Council, which shall be selected by the Presidents Council from its membership.

(B) The Executive Council shall consist of four (4) members from two-year campuses and four (4) members from four-year campuses.

(2) Executive Council members shall serve for staggered terms of two (2) years.

(3) The Executive Council shall elect officers as it deems necessary.

(4) The Executive Council shall meet at least monthly, or more frequently as needed, with the director and senior staff.

(5)(A) All items to be considered as board agenda items must be reviewed by the Executive Council before being placed on any board agenda.

(B) In the event that the director and staff shall not be in agreement with the Executive Council on a matter to be considered by the board, the Executive Council's recommendation will be placed on the board agenda automatically for a presentation and explanation of the Executive Council's position. The board will then make a decision based on both positions.

(d)(1)(A) A working committee structure shall be established involving the Presidents Council or its designees.

(B) Examples of possible committees include but are not limited to accountability, graduate studies, undergraduate studies, workforce development, continuing education, and financial and funding.

(2) The committees shall make recommendations to the Presidents Council and the director when policy or funding issues are to be decided.

(3) The department employees shall staff each committee.

History. Acts 1977, No. 560, § 24;
A.S.A. 1947, § 80-4924; Acts 1997, No.
1114, § 4.

6-61-205. Master plan.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to accept responsibility for continuous master planning.

(b) The board shall involve a broadly representative advisory committee in the development of a comprehensive master plan for all of postsecondary education and shall continually use the committee to keep the master plan updated.

(c) This plan shall include all senior colleges and universities which are state supported, community colleges, branches of state-supported institutions, independent or private colleges and universities, proprietary institutions, and postsecondary efforts of area vocational-technical schools.

(d) Broad citizen participation shall be sought by the board in the development of this plan.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

6-61-206. Studies, surveys, evaluations, etc.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty:

(1) To conduct or cause to be made such studies, surveys, and evaluations of postsecondary education as the board believes necessary to carry out its duties, to include, but not be limited to, studies of space utilization and development of guidelines for space utilization; studies of manpower needs and their implications for program development; studies of programs for purposes of identifying and reducing unnecessary program duplication and identifying needs for new programs; analysis of class size, faculty loads, and cost of instruction, sabbatical leave, and other fringe benefits; analysis of enrollments, extension programs, sources of students, and retention of students; and advise institutions of plans and needed improvements.

(2) To conduct continuing studies as to public universities and colleges in all matters affecting these institutions and from time to time submit recommendations to the Governor, the General Assembly, and each institution of higher learning based upon its findings, together with recommended plans for implementing such recommendations.

History. Acts 1977, No. 560, § 4; 1979, No. 820; § 1; A.S.A. 1947, § 80-4904.

6-61-207. Role and scope designations.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish, in consultation with college and university personnel, appropriate role and scope designations within which boards of trustees must operate the institution or institutions under their jurisdiction.

(b) The board shall establish such role and scope designations by January 1, 1990. The designations may be changed at any time as determined by the board. They shall be fully reviewed at least once every five (5) years.

(c) Prior to their establishment of or making changes in role and scope designations, the board shall carefully study the change in consultation with institutional personnel, announce the intent to consider a change, and publicly reveal the change that is being proposed at a regular quarterly meeting, with the vote to come no sooner than the next regular quarterly meeting.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 1.

6-61-208. New units of instruction, research, and public service.

(a)(1) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to request, receive, evaluate, and approve proposals for all new units of instruction, research, and public service, consistent with established role and scope designations which have been approved by the board of trustees and the president of an institution, and to determine, based upon established policies, whether new units of instruction, research, or public service are justified.

(2)(A) "Established policies" as used in this subsection means a written statement developed by the board in consultation with and upon the advice of representatives of each of the state's institutions of higher learning which shall set forth the relevant criteria which a proposal for a new unit of instruction must meet before its establishment by an institution is justified.

(B)(i) The term "new unit of instruction, research, or public service" used in this subsection includes establishment of a college, school, division, institute, center, department, new curricula, majors leading to a new degree program, or an extension service not presently included in the program of the institution.

(ii) The term does not include reasonable and moderate extensions, as defined by the board, of existing curricular research or public service programs which have a direct relationship to existing programs at the several public institutions of higher learning.

(b) General revenues appropriated by the General Assembly shall not be expended for new programs that have not been recommended by the board.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 2.

6-61-209. Budgets.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:

(1) To review, evaluate, and coordinate budget requests for the state-supported universities and colleges and present to the General Assembly and to the Governor prior to each regular session of the

General Assembly a single budget report containing the recommendations for separate appropriations to each of the respective institutions.

(A) The recommendations will be consistent with a comprehensive master plan of postsecondary education in Arkansas as developed by the board.

(B) The recommendations, insofar as possible, will be based upon standard techniques of objective measurement of need and unit cost figures arrived at through comparative data secured from the several institutions.

(C) Specific needs of institutions based upon existing programs and deficiencies will be given consideration.

(2) To develop, in conjunction with the institutions of higher learning, the Governor, and the Legislative Council, a single set of budget forms which will be utilized by all parties in making requests and recommendations for the funding of state-supported colleges and universities. The forms and process will require that the total income and expenditures of each institution must be considered in the request process.

History. Acts 1977, No. 560, § 4; 1979, No. 820, § 1; A.S.A. 1947, § 80-4904.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-210. Allocation of additional state funds.

(a) The Arkansas Higher Education Coordinating Board is authorized and directed to establish criteria and standards for the allocation of additional state funds provided for such purposes to state-supported institutions of higher learning experiencing enrollment increases greater than were anticipated at the time the board prepared its budget recommendations for allocations of funds to the respective institutions prior to each biennial legislative session.

(b)(1) The criteria and standards shall be applicable to all state-supported institutions of higher learning experiencing enrollment growth.

(2) However, with respect to the State Medical Center, the board shall develop criteria and standards for measuring and determining the additional financial support required, within the limitation of funds provided therefor, because of unusual factors which create additional spending responsibilities of the State Medical Center.

(c) The criteria and standards developed by the board for allocating additional financial support to state-supported institutions of higher learning from moneys provided therefor shall be subject to review and approval of the Governor, and the amount to be allocated to each institution shall be upon certification and approval by the Governor.

History. Acts 1971, No. 697, § 1.

6-61-211. [Repealed.]

Publisher's Notes. This section, concerning data processing equipment or services, was repealed by Acts 1997, No. 798, § 1. The section was derived from Acts

1977, No. 560, § 4; 1979, No. 820, § 1; 1985, No. 463, § 2; A.S.A. 1947, § 80-4904; Acts 1989, No. 16, § 1.

6-61-212. State agency for federal programs.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to serve as the state agency of this state for such federal programs which can most appropriately be administered by it.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904.

6-61-213. Administration of trusts, endowments, etc.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to provide administrative assistance in accordance with terms agreed upon by both the Department of Higher Education and parties establishing trusts, endowments, or otherwise providing funds in support of scholarships, research, or other educational activities at Arkansas institutions of higher education.

(b)(1) The department is not authorized to be the custodian of, or to in any way participate in, the financial management of trusts, endowments, or other funds established for purposes of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

(2) The assistance of the department is limited to administrative support in the allocation or awarding of funds to be disbursed by the donor or a properly authorized trustee.

(c) The department is authorized to supplement administrative costs for such assistance by charging a minimal administrative fee acceptable to the department and the parties establishing the endowments or providing the funds.

History. Acts 1977, No. 560, § 4; 1985, No. 565, § 2; A.S.A. 1947, § 80-4904.

Publisher's Notes. Acts 1985, No. 565, § 1, provided that the purpose of the act

was to authorize the Department of Higher Education to provide administrative assistance in the establishment of endowments or grants for scholarships,

research, or other educational activities, or in the distribution of funds for such activities and to provide for the depart-

ment to charge a minimal administrative fee acceptable to the department and the provider of the funds.

6-61-214. Review of existing degree programs — Minimum standards.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish minimum standards of quality and cost effectiveness, and review each existing academic degree program in the state institutions of higher education at least every ten (10) years, but no more frequently than every seven (7) years.

(b) Such programs shall either be certified as having met established standards or placed on two-year probationary status. During the probationary period, at the request of the institution, the board shall provide guidance to the institutions in an attempt to qualify the programs to meet the minimum standards for quality and cost effectiveness.

(c) At the end of the two-year period, the board shall make recommendations to the institutions, the Governor, and the General Assembly concerning the continuation, or termination, or extended probation of the program.

(d) General revenues shall not be expended for operation of degree programs beyond the deadline set by the board without the specific approval of the General Assembly. The deadline shall coincide with the end of the biennium.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904; Acts 1989, No. 397, § 3.

6-61-215. Student fees.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to establish the level of student fees for funding purposes for both in-state and out-of-state students for all public institutions of higher learning in the state. The level of fees shall be determined after careful study of fees charged in other states in similar institutions.

History. Acts 1977, No. 560, § 4; A.S.A. 1947, § 80-4904.

CASE NOTES

ANALYSIS

Foreign students.
Residence.

Foreign Students.

Student with certification for F-1 non-immigrant status held not to be an Arkansas resident for in-state tuition purposes. *Hein v. Arkansas State Univ.*, 972 F. Supp. 1175 (1997).

Residence.

Pursuant to this section, the Department of Higher Education has promulgated rules defining in-state versus out-of-state students; the residency requirements include a six-month continuous presence in the State, coupled with an intent to make Arkansas one's permanent home. *Hein v. Arkansas State Univ.*, 972 F. Supp. 1175 (1997).

6-61-216. Transfer students.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the power and duty to develop, with the assistance of institutional advisory committees, policies for transfer students from community colleges to senior institutions, for transfer of students among institutions of the same type, and for transfer of students from vocational and technical schools to other institutions.

(b) These policies should be a part of the comprehensive master plan and should receive review from appropriate citizens throughout the state prior to adoption by the board for their recommendation to the boards of trustees of institutions.

History. Acts 1977, No. 560, § 4;
A.S.A. 1947, § 80-4904.

6-61-217. Minimum core courses for college prep.

(a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board, after consultation with the State Board of Education, shall identify a minimum core of high school courses recommended for preparation for college.

(b) The board shall communicate this information at least annually to public school superintendents, who shall make copies available each year to public school students enrolled in grades seven through twelve (7-12).

(c) The board may revise the list of high school courses from time to time, as needed.

History. Acts 1989, No. 98, § 1.

6-61-218. Minimum college core — Transferability.

In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall establish in consultation with the colleges and universities a minimum core of courses which shall apply toward the general education core curriculum requirements for baccalaureate degrees at state-supported institutions of higher education and which shall be fully transferable between state institutions.

History. Acts 1989, No. 98, § 2.

6-61-219. [Repealed.]

Publisher's Notes. This section, concerning the annual faculty performance review, was repealed by Acts 1999, No.

477, § 1. The section was derived from Acts 1989, No. 244, § 1; 1995, No. 465, § 1. For present law, see § 6-63-104.

6-61-220. Retention and graduation rate information.

(a)(1) Accurate information about the retention and graduation rates of students at state-supported colleges and universities is needed in order for the Arkansas Higher Education Coordinating Board, institutional boards of trustees, the General Assembly, and institutional faculty members and administrators to make informed decisions related to the coordination, governance, financing, and academic policies of higher education in Arkansas.

(2) Special attention to the retention and graduation rates of students who participate in intercollegiate athletics is needed because the percentage of student athletes who graduate is lower than for students who do not participate in athletics at many institutions throughout the nation.

(b)(1)(A) The Department of Higher Education shall, in consultation with the colleges and universities, recommend a system for the collection of information as to the retention and graduation rates of students at state-supported colleges and universities to the board, the Governor, the House and Senate Committees on Education, and the colleges and universities.

(B) In addition to retention and graduation rates for all students, the report shall also include the retention and graduation rates of all students who participate in intercollegiate athletics.

(2) Except as provided in subsection (c) of this section, officials of state colleges and universities shall provide the information requested by the department to the department by December 1 of each year, beginning in 2000.

(c)(1) Subject to an adequate appropriation for the personnel and equipment necessary to implement the system recommended under subdivision (b)(1) of this section, the department shall collect the

information described in subdivision (b)(1) of this section and report its findings to the board, the Governor, the committees, and the colleges and universities by May 1 of each year, beginning in 2000.

(2) Notwithstanding the provisions of subdivision (c)(1) of this section, colleges and universities shall commence the collection of information as to the retention and graduation rates of all students who participate in intercollegiate athletics beginning in the fall semester of 1989 and shall report this information to the department by December 1 of each year, beginning in 2000.

(d) The board is hereby authorized to promulgate rules and regulations consistent with the intent and purpose of this section.

History. Acts 1989, No. 267, §§ 1, 2;
1999, No. 478, § 7.

Amendments. The 1999 amendment
rewrote this section.

6-61-221. Reporting of graduates requiring postsecondary remediation.

(a)(1) The Department of Higher Education shall have the authority to collect from the public institutions of higher education in the state such information as may be necessary to prepare reports of college achievement of high school graduates.

(2) The department shall have the authority to contract with appropriate organizations for the preparation of the reports, contingent upon the availability of funds.

(b)(1) The department and the Office of Accountability of the Department of Education shall work together to develop a compatible system of reporting the number of students who required remediation during their first year of enrollment in a public institution of higher education in this state if the enrollment occurred within two (2) years of graduation from a secondary school in this state.

(2) The public school districts shall work with the department and the office to develop a compatible system of reporting the number of students requiring remediation who graduated with a 3.0 or higher grade point average on a 4.0 scale and who graduated from a program of the minimum core of high school courses recommended for preparation for postsecondary education by the Arkansas Higher Education Coordinating Board and the State Board of Education pursuant to § 6-61-217.

(c) The compilation report generated by the department shall not include individual student information if the information is reported in a manner which would identify a particular student. Any information gathered which identifies a particular student shall be confidential.

(d)(1) The Department of Higher Education shall provide the reports to the Department of Education and the Department of Workforce Education and may also provide the reports to the coordinating board, the Governor, the House and Senate Committees on Education, and the state board.

(2) The reports developed pursuant to this section shall be provided to each public high school and to school district administrators by the Department of Education.

History. Acts 1991, No. 880, § 1; 1999, No. 508, § 4.

Amendments. The 1999 amendment rewrote this section.

6-61-222. Uniform reporting standards.

(a)(1) The Arkansas Higher Education Coordinating Board is authorized and directed to establish uniform reporting standards to report biennially all current funds' revenues and expenditures associated with each academic department and, within each department, with the academic programs offered at each state-supported institution of higher education.

(2) Such reports shall be subject to biennial review by the board and House Interim Committee on Education and the Senate Interim Committee on Education.

(3) The reports shall be predicated on the following definitions:

(A) "Academic department" means each organizational and budgetary unit associated with the delivery of instruction, research, and public service activities;

(B) "Academic program" means any program of study leading to a degree or certificate and any other program as defined by the Department of Higher Education;

(C) "Academic department and program revenues" shall include tuition and fees, both undergraduate and graduate, endowments, gifts and grants, sponsored research, and all other revenues associated with each academic department and with specific academic programs;

(D) "Academic department and program expenditures" shall include all direct and prorated indirect expenses:

(i) Direct expenses include faculty salaries, staff salaries, fringe benefits, scholarships and fellowships, graduate stipends and graduate assistant tuition, student labor, materials and supplies, equipment, travel, and telephone.

(ii) Indirect expenses include central administrative management, institution-wide services, departmental administration, student services, research, indirect cost recovery, public services and information, financial aid, plant operations and maintenance, utilities, debt service, nonmandatory transfers, and all other indirect expenses.

(iii) Total academic department and program expenditures should equal the current funds' expenditures as reported in the institution's financial statement;

(E) "State subsidy" means that within each academic department, any difference between academic program revenues and academic program expenditures shall be determined to be the "state subsidy" of that academic program; and

(F) "Productivity by academic program" means the number of declared majors, the number of undergraduate and graduate student

semester credit hours produced, and the number of degrees and certificates conferred in each program.

(4) The board is authorized to promulgate any rules or regulations necessary for the implementation of this section and shall report to the House Interim Committee on Education and the Senate Interim Committee on Education the failure of an institution to comply with the provisions of this section.

(b)(1) By September 15 of each year, all state-supported institutions of higher education shall report academic department and program revenues, expenditures, and productivity utilizing the uniform report established by the board.

(2) The academic department and program report shall identify undergraduate and graduate programs that produce fewer graduates than are required to meet the degree productivity standards set by the board.

(3) The board shall review the institutional reports and submit them to the House Interim Committee on Education and the Senate Interim Committee on Education by January 15 of each odd-numbered year.

(c) The board is further authorized and directed to establish uniform reporting standards to report any other information that may be required to meet any other state or federal statutory or regulatory requirements.

History. Acts 1993, No. 376, §§ 1, 2; 1993, No. 537, §§ 1, 2; 1995, No. 392, § 1; 1997, No. 112, §§ 15, 16; 1999, No. 523, § 1.

A.C.R.C. Notes. References to “this chapter” in subchapters 1 and 3-9, and §§ 6-61-201 — 6-61-221, may not apply to this section, which was enacted subsequently.

Amendments. The 1999 amendment substituted “Arkansas Higher Education Coordinating Board” for “State Board of Higher Education” throughout; substituted “biennially” for “annually” in (a)(1);

substituted “biennial” for “annual” in (a)(2); substituted “degree or certificate” for “degree, certificate, or diploma” in (a)(3)(B); redesignated (a)(3)(D)(1)-(3) as (a)(3)(D)(i)-(a)(3)(D)(iii); deleted “and reported annually” following “academic program” in (a)(3)(E); in (a)(3)(F), substituted “undergraduate” for “upper division” and “degrees and certificates” for “degrees, certificates, and diplomas”; substituted “September 15” for “December 1” in (b)(1)(A); rewrote (b)(2); inserted “odd numbered” preceding “year” in (b)(3); added (c); and made stylistic changes.

6-61-223. Funding formula — Arkansas Higher Education Coordinating Board.

(a) The Arkansas Higher Education Coordinating Board will work with the state college and university Presidents Council to review, revise, and develop funding formulas which will, in principle, seek to provide fair and equitable state support to all postsecondary students across the state, regardless of the state institution attended, while at the same time recognizing:

(1) The different needs for lower level, upper level, and graduate level instruction at the various institutions;

(2) The requirements for specialized equipment, labs, and smaller class sizes in some disciplines; and

(3) Unique missions such as agricultural extension services, research, medical sciences, workforce development, and public service; and

(4) Growth, economies of scale, and other appropriate factors.

(b) The formulas will be developed in consensus with the state college and university President's Council and presented to the Joint Budget Committee for review.

History. Acts 1997, No. 1059, § 15.

§§ 6-61-201 to 6-61-222 may not apply to

A.C.R.C. Notes. References to "this chapter" in subchapters 1 and 3-9 and

this section which was enacted subsequently.

6-61-224. Funding formula — Department of Higher Education.

(a) The Department of Higher Education will work with the state college and university Presidents Council to review, revise, and develop funding formulas which will, in principle, seek to provide fair and equitable state support to all postsecondary students across the state, regardless of the state institution attended, while at the same time recognizing:

(1) The different needs for lower level, upper level, and graduate level instruction at the various institutions;

(2) The requirements for specialized equipment, labs, and smaller class sizes in some disciplines;

(3) Unique missions such as agricultural extension services, research, medical sciences, workforce development, and public service; and

(4) Growth, economies of scale, and other appropriate factors.

(b) The formulas will be developed in consensus with the state college and university President's Council and presented to the Arkansas Higher Education Coordinating Board and the Joint Budget Committee for review.

History. Acts 1997, No. 1211, § 25.

§§ 6-61-201 to 6-61-222 may not apply to

A.C.R.C. Notes. References to "this chapter" in subchapters 1 and 3-9 and

this section which was enacted subsequently.

SUBCHAPTER 3 — ESTABLISHMENT AND EXPANSION

SECTION.

6-61-301. Incorporation generally.

6-61-302. Incorporation and certification
— Advisory committee.

6-61-303. Expansion of institutions.

6-61-304. Review of existing programs of
higher education.

SECTION.

6-61-305. Encouragement of participation
by private institutions.

6-61-306. [Repealed.]

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby

determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given

greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval.”

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Gover-

nor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 3.

C.J.S. 14A C.J.S., Colleges & U., §§ 4, 5.

6-61-301. Incorporation generally.

(a)(1)(A) Individuals desiring to establish a postsecondary education institution in the State of Arkansas, other than a state-supported institution, a school as defined by §§ 6-51-601 et seq., or a school which is regulated by the State Board of Cosmetology, shall be required to incorporate under the applicable laws of the State of Arkansas and to receive certification for offering educational programs from the Arkansas Higher Education Coordinating Board.

(B) Any postsecondary education institution located in another state, other than those covered by §§ 6-51-601 et seq., or those regulated by the State Board of Cosmetology, which desires to offer coursework or degrees in the State of Arkansas shall be required, prior to offering any coursework, to obtain certification to do so from the Arkansas Higher Education Coordinating Board.

(C) Any postsecondary education institution in the State of Arkansas desiring to offer programs leading to a degree which is customarily granted by colleges or universities shall be required to obtain certification to grant such degree from the Arkansas Higher Education Coordinating Board.

(2) State-supported vocational and technical schools, institutions covered under §§ 6-51-601 et seq., or institutions regulated by the State Board of Cosmetology shall be required to obtain approval for programs in which such degrees would be granted from both the State Board of Higher Education and the State Board of Education.

(3) Nonpublic colleges and universities currently incorporated and operating under the applicable laws of this state shall not be required to receive such certification.

(b) The Arkansas Higher Education Coordinating Board shall be empowered to establish the criteria required for certification and to promulgate rules and regulations for the purpose of carrying out the provisions of this chapter and shall be charged with the final responsibility for decisions as required by the chapter.

(c) Any person violating the provisions of subdivision (a)(1)(B) or (C) or subsection (b) shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than one thousand dollars (\$1,000) or be imprisoned in the county jail not more than three (3) months.

(d)(1) To secure legal existence by act of incorporation, the individuals desiring to become a corporation as trustees of a college, university, or other postsecondary institution shall prepare a charter for the proposed institution and shall present the charter to the Arkansas Higher Education Coordinating Board.

(2) If the Arkansas Higher Education Coordinating Board determines that the charter is in accordance with the provisions of the laws of the State of Arkansas and the rules and regulations of the Arkansas Higher Education Coordinating Board, the board shall issue to the trustees a certificate appended to a copy of the charter with the Great Seal of the State of Arkansas attached.

(3) The certificate shall state that the accompanying charter is granted to the trustees, that they have complied with the provisions of law, and that they are thereby constituted the board of directors of that institution and invested with all powers prescribed in the charter.

(4) A copy of the charter and certificate shall be filed with the Secretary of State and recorded by him or her in a book to be kept for the purpose.

(5) The Arkansas Higher Education Coordinating Board shall have the power, after giving thirty (30) days' notice in writing to the trustees to show cause why such action should not be taken, to revoke any certification issued by the board whenever the board shall find, after proper investigation, that the institution is conferring degrees or diplomas without requiring sufficient work therefor or is in violation of any of the provisions of the laws of this state or the regulations of the board relative thereto.

History. Acts 1911, No. 375, § 9; 1975, No. 903, §§ 1-6; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905.

CASE NOTES

Exceptions to Certification Requirements.

Writ of mandamus was properly denied where a church and its affiliated university sought an exception from the certification requirements of the Arkansas Department of Higher Education, as the church could have brought a declaratory

action to determine whether or not the exception for programs that were predominantly religious in nature applied, and that was a determination for the Arkansas Higher Education Coordinating Board. *Axley v. Hardin*, — Ark. —, 110 S.W.3d 766, 2003 Ark. LEXIS 342 (2003).

6-61-302. Incorporation and certification — Advisory committee.

(a) To assist the Arkansas Higher Education Coordinating Board in its responsibilities regarding incorporation and certification of postsecondary educational institutions, the board shall appoint an advisory committee.

(b) The advisory committee shall include:

(1) Two (2) nonpublic postsecondary education institution chief administrators;

(2) Two (2) public postsecondary education institution chief administrators;

(3) Two (2) chief administrators of proprietary schools which are licensed under § 6-51-601 et seq.;

(4) The Director of the Department of Workforce Education or his or her designated representative; and

(5) Two (2) legal residents of the state who are not officially affiliated with any postsecondary institution in any state as an employee or board member or in any other capacity.

(c) The members shall serve nine-year terms.

(d) Members shall serve without compensation but may be reimbursed for expenses in accordance with § 25-16-901 et seq.

History. Acts 1975, No. 903, § 4; 1977, No. 560, § 5; A.S.A. 1947, § 80-4905; Acts 1997, No. 250, § 26; 2003, No. 1473, § 6.

Publisher's Notes. Acts 1977, No. 560, § 5, provided in part that the original members of the advisory committee to the State Board of Higher Education would

draw lots to determine who would serve staggered terms of from one year to nine years with the term of one member to expire each year.

Amendments. The 2003 amendment inserted "and certification" following "regarding incorporation" in (a).

6-61-303. Expansion of institutions.

(a) The General Assembly recognizes the necessity of the state having an orderly and planned system of higher education and determines that the Arkansas Higher Education Coordinating Board should establish reasonable and necessary criteria and factors to be used in determining and controlling the expansion of existing state-supported institutions of higher learning and community college programs, in order to prevent an overextension of the state's resources or unnecessary duplication of programs or facilities.

(b)(1) The board is authorized to promulgate and adopt reasonable rules, regulations, criteria, guidelines, and standards to be followed by the respective state-supported institutions of higher learning and to be applied by the board with respect to the planning, establishment, location, or development of any branch campus of the existing state-supported institutions of higher learning or community colleges.

(2) The standards, rules, regulations, criteria, and guidelines shall be developed and approved after public hearings held by the board in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) Upon the development and adoption thereof, the standards, rules, regulations, criteria, and guidelines shall be followed by the board in reviewing, rejecting, or approving the establishment and location of all future branch campuses of existing state-supported institutions of higher learning or community colleges.

(c)(1) Each state-supported institution of higher learning and community college desiring to establish a branch campus or program shall present to the board a request in writing to establish the branch campus or program, outlining the justifications and reasons therefor.

(2) The board shall review the application in accordance with the standards, rules and regulations, criteria, and guidelines promulgated by the board and may grant the application only if the establishment of a branch campus is within these guidelines and standards.

(3) If the board rejects the application, the institution shall not establish the branch campus or program.

History. Acts 1977, No. 560, § 6;
A.S.A. 1947, § 80-4906.

6-61-304. Review of existing programs of higher education.

In order to provide for the orderly development, coordination, financing, and expansion of the higher education program of this state, the Department of Higher Education shall review the existing programs of higher education in this state and assist in the orderly development and expansion of higher education in this state in accordance with the procedures outlined in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 1;
A.S.A. 1947, § 80-4901.

6-61-305. Encouragement of participation by private institutions.

The Department of Higher Education staff and the Arkansas Higher Education Coordinating Board shall invite and encourage the participation of private colleges and universities, proprietary schools, and all

other postsecondary institutions in Arkansas in planning for the programs of education beyond high school.

History. Acts 1977, No. 560, § 27; A.S.A. 1947, § 80-4927.

6-61-306. [Repealed.]

Publisher's Notes. Acts 1991, No. 343, § 10, provided: "The Occupational Education Advisory Committee created under Arkansas Code § 6-61-306 is abolished."

This section, concerning the Occupa-

tional Education Advisory Committee, was repealed by Acts 1991, No. 343, § 10. The section was derived from Acts 1977, No. 560, § 26; A.S.A. 1947, § 80-4926.

SUBCHAPTER 4 — GRANT PROGRAMS

SECTION.

6-61-401. State Student Incentive Grant Program.

6-61-402. Contracts and cooperation with

Board of Control for Southern Regional Education.

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportuni-

ties available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

6-61-401. State Student Incentive Grant Program.

(a) The Department of Higher Education, in accordance with policy established by the Arkansas Higher Education Coordinating Board, shall administer the federal State Student Incentive Grant Program.

(b)(1) The board is authorized, empowered, and directed to prepare and submit an application for federal funds to support a program under this federal act and, upon the approval thereof, to administer such program and otherwise to do, or cause to be done, all things and acts of every nature which are necessary or desirable:

(A) To meet and comply with all requirements of the federal act, regulations pursuant to the federal act, and regulations of the departments and agencies of the United States that administer the federal act;

(B) To administer the state program; and

(C) To obtain and utilize or cause to be utilized all grants, funds, and benefits to which the State of Arkansas or students in attendance at state and private colleges and universities or other postsecondary institutions of education are entitled under the federal act.

(2) Specifically, but without limiting any other authority, powers, or duties as assigned in this section, the board is authorized, empowered, and directed to operate the State Student Incentive Grant Program and to make and cancel grants to individual students according to rules and regulations of the board.

(c)(1) Sections 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, 6-61-604 — 6-61-612 [repealed] shall be liberally construed in order that the State of Arkansas and students in attendance at state and private colleges and universities and other postsecondary institutions of education which are entitled to benefits under the federal act may receive fully and promptly all benefits conferred and intended by the federal act and §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed] and that the intended public benefits and purposes be achieved and accomplished.

(2) Sections 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed] shall be liberally construed as being supplemental to any existing purposes and powers of the board in order that it may accomplish in the most expeditious and efficient manner the purposes and intent of the federal act for this state.

History. Acts 1977, No. 560, § 21; A.S.A. 1947, § 80-4921.

tive Grant Program referred to in this section is codified as 20 U.S.C. § 1070c et seq.

U.S. Code. The State Student Incentive

6-61-402. Contracts and cooperation with Board of Control for Southern Regional Education.

(a)(1) The boards of trustees of the state-supported senior colleges and universities and the community colleges which presently exist and those which will be established are authorized to cooperate or enter into contracts with the Board of Control for Southern Regional Education in order that students from states comprising the Southern Regional Education Board area may attend Arkansas state-supported institutions through the Academic Common Market while paying the same level of student fees as an Arkansas resident.

(2) Participation shall be authorized only after the program of the Arkansas institution is classified as an uncommon program of the region by the Board of Control for Southern Regional Education staff and final approval is granted by the Arkansas Higher Education Coordinating Board.

(b) The Arkansas Higher Education Coordinating Board is authorized to cooperate, or enter into contracts, with the Board of Control for Southern Regional Education or institutions of higher education in order that Arkansas residents shall participate in uncommon programs

in other states of the Board of Control for Southern Regional Education area through the Academic Common Market.

(c) The Department of Higher Education staff, at the direction of the Arkansas Higher Education Coordinating Board, is empowered to conduct necessary administrative duties in connection with this program.

History. Acts 1977, No. 560, § 22; A.S.A. 1947, § 80-4922.

Cross References. Southern Regional Education Compact, § 6-4-101 et seq.

SUBCHAPTER 5 — COMMUNITY COLLEGES GENERALLY

SECTION.

- 6-61-501. Definitions.
- 6-61-502. Establishment authorized.
- 6-61-503. Millage tax.
- 6-61-504. Division of Community Junior Colleges created.
- 6-61-505. State Community College Board.
- 6-61-506. Administration of funds.
- 6-61-507. Formation of districts — Feasibility study.
- 6-61-508. Formation of district — Minimum requirements for establishment.
- 6-61-509. Formation of district — Limitation on number.
- 6-61-510. Formation of district — Election — Petition.
- 6-61-511. Formation of district — Election — Notification to county board of election commissioners.
- 6-61-512. Formation of district — Election — Date.
- 6-61-513. Formation of district — Election — Ballot.
- 6-61-514. Formation of district — Election — Conduct.
- 6-61-515. Formation of district — Election — Results.
- 6-61-516. Formation of district — Election — Reconstituted district.
- 6-61-517. Formation of district — Ad valorem taxes.

SECTION.

- 6-61-518. Reconstituted districts.
- 6-61-519. Dissolution of district — Reduction or repeal of tax.
- 6-61-520. Local boards — Establishment — Members.
- 6-61-521. Local boards — Powers and duties.
- 6-61-522. Limitations on operations.
- 6-61-523. Student fees.
- 6-61-524. Agreements for sharing of facilities, personnel, and services.
- 6-61-525. Housing allowance.
- 6-61-526. Phillips Community College of the University of Arkansas — Building trades construction program.
- 6-61-527. [Repealed.]
- 6-61-528. University Center of the Mississippi County Community College.
- 6-61-529. Local boards — Appointment or election of members.
- 6-61-530. Local boards — School district representation.
- 6-61-531. Arkansas Heavy Equipment Operator Training Academy — Establishment.
- 6-61-532. Arkansas Heavy Equipment Operator Training Academy — Operation.
- 6-61-533. Arkansas Heavy Equipment Operator Training Academy — Funding.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-61-501 — 6-61-524 may not apply to §§ 6-61-525 — 6-61-533 which were enacted subsequently.

Acts 1991, No. 595, § 10, provided: “The Garland County Community College shall

be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Garland County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting ser-

vices to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Garland County Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 597, § 6, provided: "The East Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the East Arkansas Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the East Arkansas Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 598, § 10, provided: "The Mississippi County Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Mississippi County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Mississippi County Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 641, § 12, provided: "The Northwest Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the Northwest Arkansas Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Northwest Arkansas Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 642, § 5, provided: "The Phillips County Community College shall be exempt from the provisions of Arkansas

Code § 19-4-1707 to the extent that the Phillips County Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Phillips County Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1119, § 6 provided: "The Westark Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that Westark Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Westark Community College does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1122, § 11 provided: "The North Arkansas Community College shall be exempt from the provisions of Arkansas Code 19-4-1707 to the extent that the North Arkansas Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the North Arkansas Community College does not exceed 25% of that required for a full time employee."

Effective Dates. Acts 1977, No. 560, § 30: Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and

safety, shall be in effect from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 37, § 10: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 48, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 130, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the de-

lay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 203, § 10: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 245, § 9: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 252, § 13: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that

the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989 (1st Ex. Sess.), No. 262, § 11: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1991, No. 641, § 13: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being neces-

sary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1992 (1st Ex. Sess.), No. 65, § 9: Mar. 20, 1992. Emergency clause provided: "It is hereby found and declared by the General Assembly that community college districts in this state have an immediate need to finance capital improvements and that existing laws must be clarified in order to insure the use of those laws to accomplish the same. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1993, No. 307, § 12: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1993, No. 765, § 13: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby de-

clared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1995, No. 70, § 9: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1995, No. 1349, § 5: became law without Governor's signature. Noted Apr. 19, 1995. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that any delay in the effective date of this act could work irreparable harm to the continuity of the 1995-96 academic year and, consequently, to students enrolled in community colleges throughout the state of Arkansas. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 2003, No. 683, § 4: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the failure to establish the Arkansas Heavy Equipment

Operator Training Academy as a single-source academy under the South Arkansas Community College will result in the expiration of the academy's training program and in the academy's inability to finish training its currently enrolled students; that the Arkansas Constitution prohibits the appropriation of funds for more than a two (2) year period; that it is essential to the operation of the academy that this become effective on July 1, 2003; and that in the event of an extension of the Regular Session, a delay in the effective date of this act beyond July 1, 2003, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

CASE NOTES

Immunity.

Because Arkansas calls North Arkansas Community Technical College a State agency, allows for substantial local autonomy but provides ultimate state control, and — most importantly — funds the agency's general operations primarily

from the State Treasury, the college is entitled to Eleventh Amendment immunity. *Hadley v. North Ark. Community Technical College*, 76 F.3d 1437 (8th Cir. 1996), cert. denied, 519 U.S. 1148, 117 S. Ct. 1080, 137 L. Ed. 2d 215 (1997).

6-61-501. Definitions.

As used in §§ 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed], unless the context otherwise requires:

(1) "Capital outlay expense" means those funds devoted to or required for the acquisition and improvement of land; acquisition, construction, remodeling, alteration, addition, or enlargement of buildings or other structures; and initial purchase of furniture, apparatus, and other equipment;

(2) "Community college" means an educational institution established or to be established by one (1) or more counties or cities of this state offering a comprehensive program designed to serve the postsecondary educational needs of its district and the state including specifically, but without limitation, occupational programs of varying types and levels of difficulty, the first two (2) years of a baccalaureate degree, community service offerings, and student guidance and counseling services;

(3) "District" means the geographic area included within one (1) or more contiguous or noncontiguous counties or cities, or any described combination thereof, or any described contiguous area which may be in one (1) or more counties or parts of counties, participating in or intending to participate in the establishment and maintenance of a community college;

(4) "Local board" means the governing body of a community college established pursuant to the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed];

(5) "Operating expense" means those funds devoted to or required for the regular or ordinary expense of the college, including administrative, maintenance, and salary expenses, but excluding capital outlay expenses, student activity expenses, and expenses for intercollegiate athletics; and

(6) "State Community College Board" means the Arkansas Higher Education Coordinating Board.

History. Acts 1977, No. 560, § 7; **Cross References.** Consolidations A.S.A. 1947, § 80-4907; Acts 1991, No. 336, § 1; 1991, No. 354, § 1. and mergers, § 6-60-102.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-502. Establishment authorized.

Pursuant to the authority granted by Arkansas Constitution, Amendment 52, there is authorized the establishment of community college districts to be formed, financed, and governed as provided in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 8;
A.S.A. 1947, § 80-4908.

6-61-503. Millage tax.

(a) The tax authorized to be levied under Arkansas Constitution, Amendment 52, shall not exceed ten (10) mills on the taxable real and personal property of the district.

(b) The millage approved by the electors shall be a continuing levy until reduced as provided in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603 and 6-61-604 — 6-61-612 [repealed].

History. Acts 1977, No. 560, § 8;
A.S.A. 1947, § 80-4908.

6-61-504. Division of Community Junior Colleges created.

The Director of the Department of Higher Education shall establish a separate Division of Community Junior Colleges within the Department of Higher Education.

History. Acts 1977, No. 560, § 19;
A.S.A. 1947, § 80-4919.

6-61-505. State Community College Board.

(a) The Arkansas Higher Education Coordinating Board is authorized to act and shall act as the statewide coordinating board for the community colleges established in conformity with §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603.

(b) When the board is acting as the State Community College Board, the Director of the Department of Education shall be an ex officio nonvoting member of that board.

(c) The State Community College Board shall have the following duties and powers:

(1)(A) It shall function as the coordinating agency between the community colleges, the public schools, the universities, the state colleges, and the other educational institutions in Arkansas.

(B) In relation to the senior institutions of the state, it shall work with them and with the community colleges to develop the criteria for transfer of credits of students entering senior institutions from community colleges;

(2)(A) It shall set forth the criteria in conformity with, but not limited to, the provisions of §§ 6-61-507 and 6-61-510 — 6-61-519 for the establishment of community college districts.

(B) In addition to the specific requirements set forth in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301

— 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603, the criteria shall provide for the size and location of sites for the proposed community college, the nature and extent of the program, and the size and type of buildings required;

(3) It shall develop objective criteria for the determination of the requirements in § 6-61-508;

(4) It shall upon request of a citizens' group develop a tentative budget to determine the annual cost of the operation;

(5) It shall act in an advisory capacity concerning changes and expansion of the overall program for community colleges and the program for each community college;

(6) It shall develop a uniform budget format and accounting and reporting procedures to be used by all community colleges;

(7) It shall, with the Legislative Joint Auditing Committee, determine that state funds are used in conformity with the grants of the funds; and

(8)(A)(i) It shall develop criteria for determining if an institution is adequately comprehensive.

(ii) In developing criteria to determine if an institution is adequately comprehensive, the board shall require that each community college fulfill all aspects of the definition of a community college as contained in § 6-61-501 and shall specifically provide for occupational programs that do not require academic transfer courses for completion.

(B) It must make an annual determination, and may do so more often, as to whether each community college is adequately comprehensive or is becoming adequately comprehensive.

(C) If it is determined that any community college is not adequately comprehensive and is not becoming adequately comprehensive, that institution shall not be eligible for state funds until it has corrected the deficiencies and has received a favorable determination by the board.

(d) In furtherance of the purposes of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603 and in addition to the powers and duties vested in the board, the board shall have authority to make agreements with agencies of this state, the federal government, political subdivisions of this state, and their institutions and agencies, not inconsistent with the Constitution and laws of the State of Arkansas, when these agreements are to the advantage of the State of Arkansas in the furtherance of the state community college program as authorized by law.

History. Acts 1977, No. 560, §§ 9, 17; A.S.A. 1947, §§ 80-4909, 80-4917; Acts 1999, No. 478, § 5.

Amendments. The 1999 amendment deleted former (c)(6) and redesignated former (c)(7), (c)(8), and (c)(9) as present

(c)(6), (c)(7), and (c)(8); substituted "It" for "State Community College Board" in present (c)(8)(A); and made stylistic changes.

Cross References. Audit of educational institutions, § 6-1-101.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-506. Administration of funds.

(a) All federal and other funds provided to the state for support of community colleges and vocational and technical education in community colleges shall be administered by the State Community College Board.

(b) In the event there are legal requirements that the funds be granted to another agency of the state, that other agency shall contract with the board for the administration of the funds under the appropriate conditions.

History. Acts 1977, No. 560, § 17; A.S.A. 1947, § 80-4917.

6-61-507. Formation of districts — Feasibility study.

Upon request of a citizens' group representing a proposed community college district, the State Community College Board shall assist in the study of the proposed district to determine whether its formation would meet the requirements of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] and the criteria established by the board for the formation of the district. As provided in § 6-61-505, the board shall make all necessary studies to determine the feasibility of the proposed district.

History. Acts 1977, No. 560, § 11; A.S.A. 1947, § 80-4911.

6-61-508. Formation of district — Minimum requirements for establishment.

Prior to the calling of an election for the establishment of a community college district, the State Community College Board must certify that the proposed college will meet the following requirements:

(1) **SITE:** That a site which meets the criteria established by the board is available;

(2) **STUDENTS:** That by objective analysis and projection the full-time student equivalent would be a minimum of three hundred (300) at the fall enrollment of the third year of operation;

(3) **LOCAL INCOME:** That the assessment for ad valorem tax purposes of the proposed district, as published by the Assessment Coordination Department, at the millage rate proposed would produce sufficient income for the district to discharge its financial obligation as required in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed],

6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed]. However, a district may be created without a local millage by following all applicable provisions of the law if it is demonstrated to the board that all capital costs of the district required to provide an adequate comprehensive program will be met without local millage, at least during the first five (5) years that instruction is offered by the district, through available existing facilities, contributions already secured or committed to the satisfaction of the board, establishment of a permanent endowment fund, or through any other method or any combination of methods; and

(4) **SIZE OF DISTRICT:** The size of the district shall be such that all students within the district are within commuting distance of the college.

History. Acts 1977, No. 560, § 13;
A.S.A. 1947, § 80-4913.

6-61-509. Formation of district — Limitation on number.

(a)(1) No certificate of feasibility for the formation of a community college district in excess of eight (8) locations in Arkansas as authorized by Acts 1973, No. 103, § 5(b) [repealed], shall be issued by the State Community College Board.

(2) It is the specific intent of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] to provide that the authority of the board to create an unlimited number of community colleges under Acts 1973, No. 103, is repealed, and no other interpretation shall be given to §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

(b) In computing the maximum of eight (8) community college districts permitted under §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed], auxiliary locations which may or may not establish additional taxing units but are included as a part of a community college district previously established shall be counted as a separate community college district.

(c) The General Assembly shall be the sole authority for creating community college districts subsequent to the creation of a maximum of eight (8), as stated elsewhere in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed], by the board.

History. Acts 1977, No. 560, § 18;
A.S.A. 1947, § 80-4918.

6-61-510. Formation of district — Election — Petition.

(a) Upon certification of the State Community College Board that the formation of the proposed district is feasible and would conform to the requirements of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed], qualified electors of the proposed district may, by petition, have an election called to determine whether the district shall be formed.

(b)(1) The petition calling for such an election shall be signed by not less than ten percent (10%) of the qualified electors of the district, based upon the total number of votes cast therein for all candidates for the office of Governor in the last general election.

(2) Where there is more than one (1) county or city in a proposed district, the petitions shall include signatures of not less than ten percent (10%) of the qualified electors of each county or city, and the aggregate of the signatures shall represent not less than ten percent (10%) of the qualified electors of the entire proposed district as determined by the total votes cast for all candidates for the office of Governor at the last general election in each such county or city.

(3) Signatures shall be separately required from a particular city only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

(c) The petitions calling for the special election shall describe the area of the proposed district, the proposed maximum rate of millage to be levied for the support of the district, if any, and the millage that may be pledged for bonded indebtedness purposes of the district.

(d) The petition shall be filed with the Secretary of State.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-511. Formation of district — Election — Notification to county board of election commissioners.

Within ten (10) days of the receipt and verification by the Secretary of State of the sufficiency of the petitions, he or she shall notify the county board of election commissioners of each county of which any portion is in the proposed community college district that an election shall be held in the area described in the petition, as certified by the Secretary of State, to determine whether the district shall be formed.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-512. Formation of district — Election — Date.

The date of the election shall be set by the Secretary of State at a time not less than thirty (30) days from the date of notification of the county board of election commissioners.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-513. Formation of district — Election — Ballot.

(a) The State Community College Board shall specify the wording of the ballot to be used for each election to create a community college district utilizing appropriate language similar to that provided in subdivision (c)(1) of this section.

(b)(1) The ballot for the election shall state the purpose of the election, giving the names of the counties or cities in the proposed district, the proposed rate of ad valorem tax to be voted upon, if any, and the purposes for which such tax shall be used, including the amount thereof which may be pledged for bonded indebtedness purposes.

(2) A city shall be listed separately only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

(c)(1) The form of the ballot may be as follows:

Vote FOR or AGAINST the establishment of a community college district to be composed of , (This includes authorizing the levy of a tax not to exceed mills on the dollar of the assessed value of the taxable property of the district (to be used for the support of such community college) and authorizing the pledging of mills of the aforementioned tax for the issuance of bonds to provide all or part of the funds for the construction and furnishing of buildings and facilities for such college.)

☐ FOR the establishment of a community college district.

☐ AGAINST the establishment of a community college district.

(2) The material enclosed in parentheses is inserted if a local tax is to be voted on and deleted if no local tax is to be voted on.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-514. Formation of district — Election — Conduct.

The election shall be conducted by the county board of election commissioners in the manner provided by law for special elections, and the ballots shall be marked by each elector, and the returns thereof shall be tabulated, certified, and reported as provided by law.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-515. Formation of district — Election — Results.

(a)(1) If a majority of the qualified electors of the proposed district voting thereon at such election shall vote FOR the establishment of the district, the district shall be established in the manner provided in §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

(2) If a majority of the qualified electors of the proposed district voting thereon at the election vote AGAINST the establishment of the district, the district shall not be established, and no new election for the establishment thereof shall be held for a period of one (1) year thereafter.

(3) However, if the proposed district includes more than one (1) county or city, the majority required for the purposes of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] shall include not only a majority of the electors of the proposed district voting on the issue at the election but shall also include a majority of the electors voting on the issue in each county or city of the proposed district, or if the proposed district consists of described contiguous territory in one (1) or more counties or cities, the majority required for the purposes of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] shall include not only a majority of the electors of the proposed district voting on such issue but shall also include a majority of the electors voting on the issue in the portion of any county or city of the proposed described district.

(b) The vote in a particular city shall be considered separately only if the boundaries of the city are used to describe the district separate from the boundaries of the county in which the city is located.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-516. Formation of district — Election — Reconstituted district.

If the election fails because of an adverse vote in one (1) or more counties or cities in a proposed district of multiple counties or cities, a proposed reconstituted district eliminating the counties or cities which cast the adverse vote in an election may be called within ninety (90) days, provided the State Community College Board certifies that the proposed new district meets all of the criteria for such an election.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-517. Formation of district — Ad valorem taxes.

(a) The ad valorem tax levied by a district, or so much thereof as shall be necessary, shall be a continuing levy until reduced in the manner provided in this subchapter.

(b) The tax shall be collected in the manner provided by law for the collection of county general taxes and promptly remitted to the district.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-518. Reconstituted districts.

(a) When it is proposed that a county or city join an existing community college district, an election may be held in the proposed city or county to be added to determine whether the proposed reconstituted district shall be established after a petition requesting that the county or city be permitted to join the district has been signed by a committee broadly representative of the county or city to be added and approved by the local board of the existing district.

(b) The procedures for an election to be held in the petitioning county or city to determine whether the proposed reconstituted district shall be formed, including the adoption of the millage tax for support of the community college in effect in the existing district, shall be the same as required in establishing an original community college district.

History. Acts 1977, No. 560, § 11;
A.S.A. 1947, § 80-4911.

6-61-519. Dissolution of district — Reduction or repeal of tax.

(a) A community college district may be dissolved or the millage tax voted reduced or repealed, with the exception of the millage required to service any outstanding bonds, upon approval thereof by a majority of the qualified electors of the district voting on the issue at an election called for such purpose.

(b) The question of dissolving the district or reducing or repealing the millage tax shall be submitted to the electors of the district at a special or general election upon petitions therefor if the initiation of petitions calling for the election and the procedures calling for the election shall be in accordance with the requirements set forth in §§ 6-61-510(b)-(d), 6-61-511, and 6-61-512 for the formation of the district.

History. Acts 1977, No. 560, § 11; **Cross References.** Consolidations
A.S.A. 1947, § 80-4911. and mergers, § 6-60-102.

6-61-520. Local boards — Establishment — Members.

(a) The local control of each community college shall be vested in a local board composed of nine (9) members who are residents and qualified electors of the community college district.

(b)(1) All members shall be elected for terms of six (6) years by the qualified electors of the community college district at the general election immediately preceding the expiration of the expiring terms, and the newly elected members shall take office on January 1 next following the date of their election.

(2) However, the election shall be held at the annual school election if the community college district is composed solely of one (1) or more entire school districts, other than any portion of the school district that is in another county, and whose boundary is contiguous with that portion of the school district that is located in the county in which the community college is located.

(c)(1) Candidates for membership on the local board shall run by position and shall be elected on a nonpartisan basis, and there shall be no mark or designation on the ballot indicating the party affiliation of the candidates. The names of the candidates for each position shall be arranged alphabetically on the ballot.

(2) Any person desiring to be a candidate for a position on the local board shall, not less than forty-five (45) days prior to the general or annual school election at which the position on the board is to be filled, file a notarized statement of such candidacy with the county board of election commissioners of each county of which any portion is in the community college district, in substantially the following form:

“State of Arkansas
County of
I,, being first duly sworn, state that I reside at; that I am a resident and qualified elector of community college district; that I am a candidate for the office of position No. on the local board of such community college, and I hereby request that my name be placed on the ballot as a candidate for such position at the coming general or annual school election.
(Signed)
Subscribed and sworn to before me this day of, 20....
(Signed)
Notary Public”

(3) At the time of filing the statement of candidacy, the candidate shall pay a ballot fee of three dollars (\$3.00) and shall file a petition containing the signatures of at least fifty (50) qualified electors of the district, requesting that the name of such person be placed on the ballot as a candidate for the position on the local board.

(4)(A) The county board of election commissioners of each county of which a portion is a part of the community college district shall certify the results of the election in that county to the local board of the community college.

(B) The local board of the community college shall officially canvass the returns, declare the candidate elected for each position, and make a record of the election upon its minutes.

(5) The candidate receiving the highest number of votes for each position on the local board to be filled at the election shall be elected to

fill the particular position, and it shall not be necessary that the person elected receive a majority of all votes cast for all candidates for such position.

(d)(1) Vacancies on any local board due to death, resignation, or other causes shall be filled by appointment of the Governor.

(2) When the term of office in which the vacancy occurs expires on December 31 of the year in which the next general or annual school election is to be held, the person appointed by the Governor shall serve the remainder of the unexpired term.

(3) When the term of office in which the vacancy occurs extends beyond December 31 of the year in which the next general or annual school election is to be held, the person appointed by the Governor shall serve only until the general or annual school election, at which election a person shall be elected by the qualified electors of the district to fill the remainder of the unexpired term.

(4) When a vacancy occurs, the local board shall officially recognize that the vacancy exists, enter the recognition of the vacancy upon its minutes, and notify the Governor, requesting that he or she make an appointment to fill the vacancy as provided by law.

(5) The Governor shall officially notify the local board of his or her appointment of the new member, which the local board shall enter upon its minutes.

History. Acts 1977, No. 560, § 10; A.S.A. 1947, § 80-4910; Acts 1993, No. 981, § 1; 1999, No. 470, § 1.

Publisher's Notes. Acts 1977, No. 560, § 10 provides, in part, that the initial members of each local board shall be appointed by the Governor with the advice and consent of the Senate and that the initial board members shall draw lots and position numbers. The section further provides that the terms of the members of each local board are arranged so that

three (3) terms expire on December 31 of each even-numbered year.

Amendments. The 1999 amendment deleted "or at the annual school election for any community college district which is composed solely of one (1) or more entire school districts and whose boundary is contiguous with those school districts" following "general election" in (b)(1); added (b)(2); and made minor punctuation changes.

CASE NOTES

Cited: *Hadley v. North Ark. Community Technical College*, 76 F.3d 1437 (8th Cir. 1996).

6-61-521. Local boards — Powers and duties.

The powers and duties of the local board shall be as follows:

(1) To select its own chairman and such other officers as it may deem desirable from among its own membership;

(2) To adopt and use a seal;

(3) To determine, with the advice of the Arkansas Higher Education Coordinating Board, the educational program of the community college;

(4) To appoint and fix the compensation and the term of office of a president of the community college, who shall be the executive officer for the local board and for the community college;

(5) To appoint, upon the nomination of the president, members of the administrative and teaching staffs and to fix their compensation and terms of employment;

(6) Upon the recommendation of the president, to appoint or employ such other officers, agents, and employees of the community college as may be required to carry out the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603 and to fix and determine their qualifications, duties, compensation, and terms and conditions of employment;

(7) To grant diplomas and certificates;

(8) To enter into contracts;

(9)(A) To accept from any government or governmental agency, from any other public or private body, or from any other source, grants or contributions of money or property, which the local board may use for or in aid of any of its purposes.

(B) If acceptance of a grant is conditioned upon the local board's obtaining interim financing from a local financial institution and if the grant makes a provision for the repayment of the interim loan from the grant itself, then the local board is authorized to contract for the required interim financing;

(10) To acquire, own, lease, use, and operate property, whether real, personal, or mixed, which is necessary for purposes of the community college;

(11) To dispose of property owned by the community college which is no longer necessary for purposes of the community college upon such terms and conditions as shall meet the requirements for state agencies;

(12) To exercise the right of eminent domain to condemn property necessary for the use of the community college. The procedure to be followed in the exercise of the right of eminent domain by a local board shall be that prescribed for the boards of trustees of certain state colleges by § 6-62-201;

(13) To make rules and regulations not inconsistent with the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603 or with the rules and regulations of the state board as are necessary for the proper administration and operation of the community college; and

(14) To exercise all other powers not inconsistent with the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603 which may be reasonably necessary to the establishment, maintenance, and operation of a community college.

History. Acts 1977, No. 560, § 10; A.S.A. 1947, § 80-4910; Acts 1999, No. 478, § 6.

Amendments. The 1999 amendment substituted "Arkansas Higher Education Coordinating Board" for "State Commu-

nity College Board" in (3); deleted "with the advice of the State Community College Board" following "To appoint" in (4); deleted "6-61-306 [repealed]" and "6-61-604 - 6-61-612 [repealed]" in (6), (13), and (14); and made stylistic changes.

6-61-522. Limitations on operations.

(a) No tax shall ever be levied or collected for the construction of dormitories, nor shall any community college construct, maintain, or operate any dormitory for the housing of students.

(b)(1) Participation of community colleges in intercollegiate athletic programs shall be limited to basketball, volleyball, and spring sports, except as provided in subdivision (b)(2) of this section.

(2) Community colleges may participate in an intercollegiate football program provided that state funds, either directly or indirectly, or funds derived from property taxes or student fees are not expended to support the program.

History. Acts 1977, No. 560, § 15; 1979, No. 756, § 1; A.S.A. 1947, § 80-4915; Acts 2001, No. 1649, § 1.

Amendments. The 2001 amendment

redesignated former (b) as present (b)(1), added "except...section" to the end, and made related changes; and added (b)(2).

6-61-523. Student fees.

(a) TUITION.

(1) The intent of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-401, 6-61-402, 6-61-501 — 6-61-524, and 6-61-601 — 6-61-603 is to make community college programs available to as many citizens of Arkansas as possible. To this end, tuition and fees should be maintained at a reasonable level so as not to exclude citizens because of cost.

(2) The local board shall determine the minimum student tuition and fees to be charged.

(3) The student fees or tuition authorized in §§ 6-61-215 and 6-53-304 shall be used for educational purposes only.

(b) OUT-OF-DISTRICT TUITION.

(1)(A) Students who come from within the state but without the district may be charged a fee in addition to the fee charged students who are residents of the district.

(B) The out-of-district fee is to be determined by the local board but is not to exceed the pro rata share of the per student cost annually paid for buildings and operations from local tax revenues.

(C) However, when one (1) or more residents of a county not in a community college district attend a community college, the county of residence of these students may, when funds are appropriated therefor by the quorum court of the county, pay the tuition of these students which exceeds the tuition charged in-district students.

(2) Out-of-state students may be charged a fee in addition to the fee charged students who are residents of the district in the amount determined by the local board.

(c) **ACTIVITY FEES.** To provide for a student activity program at the college, the local board may levy a student activity fee.

(d) **SPECIAL FEES.** The local board of each community college may levy special fees for special programs, short courses, seminars, or like activities at a level to defray the cost of special activities.

History. Acts 1977, No. 560, § 14; A.S.A. 1947, § 80-4914; Acts 1989 (3rd Ex. Sess.), No. 12, § 1; 1999, No. 1107, § 3.

Amendments. The 1999 amendment rewrote this section.

6-61-524. Agreements for sharing of facilities, personnel, and services.

(a) Community colleges established under the authority of Arkansas Constitution, Amendment 52 and the laws enacted pursuant thereto, are authorized, upon application, review, and approval thereof by the State Community College Board, to enter into agreements with any postsecondary educational institution, or with agencies or institutions of this state, of any city or county, or of the federal government for the sharing of facilities, personnel, or services or the providing and furnishing of services for such duration and under such conditions and financial arrangements therefor as are not inconsistent with the purposes for which the community colleges are established.

(b) In addition to the powers enumerated in this subchapter, it is the specific intention of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] to authorize community colleges, upon application, review, and approval by the State Community College Board, to enter into agreements with the State Board of Workforce Education and Career Opportunities for the sharing of facilities, personnel, and services of vocational and technical schools of this state whereby, at a single location, community college instruction, including vocational and technical training, may be offered. The agreements shall include means of financing the sharing of such facilities, personnel, or services, provided, that the community college and the vocational and technical school shall each receive financial support in the manner provided by law.

History. Acts 1977, No. 560, § 16; A.S.A. 1947, § 80-4916.

Cross References. Consolidations and mergers, § 6-60-102.

6-61-525. Housing allowance.

Upon approval by the appropriate community college or technical college board of trustees, the president of each community college or

technical college may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 37, § 5; 1989 (1st Ex. Sess.), No. 48, § 5; 1989 (1st Ex. Sess.), No. 130, § 5; 1989 (1st Ex. Sess.), No. 203, § 5; 1989 (1st Ex. Sess.), No. 245, § 5; 1989 (1st Ex. Sess.), No. 252, § 7; 1989 (1st Ex. Sess.), No. 262, § 6; 1991, No. 641, § 6; 1993, No. 765, § 7; 1995, No. 70, § 3.

A.C.R.C. Notes. Former § 6-61-525, concerning the housing allowance for presidents of certain schools, is deemed to

be superseded by this section. The former section was derived from Acts 1987, No. 691, § 5; 1987, No. 747, § 5; 1987, No. 748, § 5; 1987, No. 749, § 5; 1987, No. 756, § 5; 1987, No. 788, § 5.

References to "this chapter" in subchapters 1-4 and 6-9 and references to "this chapter" and "this subchapter" in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

6-61-526. Phillips Community College of the University of Arkansas — Building trades construction program.

Phillips Community College of the University of Arkansas is authorized to participate in a building trades construction program as may be authorized and under the same restriction provided by laws for the area vocational technical schools. Funding for the programs shall be only from revenues received by Phillips Community College of the University of Arkansas that are not required by law to be deposited in the State Treasury.

History. Acts 1987, No. 748, § 6.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 and 6-9 and references to "this chapter" and "this sub-

chapter" in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

6-61-527. [Repealed.]

Publisher's Notes. This section, concerning the University Center at Westark Community College, was repealed by Acts 2003, No. 1473, § 7. The section was de-

rived from Acts 1989, No. 259, §§ 1, 2; 1991, No. 1119, § 5; 1993, No. 307, § 6; 1997, No. 112, § 17; 1997, No. 540, § 11.

6-61-528. University Center of the Mississippi County Community College.

(a) In order to provide the residents of northeastern Arkansas with greater access to higher education opportunities beyond those which can be provided by the Mississippi County Community College, there is hereby created the university center at the Mississippi County Community College. The primary purpose of the General Assembly in creating this center is to meet the needs of persons who cannot, because of family or work responsibilities, leave the area to become students at universities in other communities. It is the intent of the General Assembly, in creating this center, to avoid the establishment of an additional institution of higher education or branch of such institution and to avoid the duplication of administrative personnel and services.

(b) The university center at the Mississippi County Community College shall be managed and administered by the Board of Trustees of the Mississippi County Community College, utilizing the administrative staff and support services of the college.

(c) The Mississippi County Community College shall determine, in cooperation with the public universities and with the approval of the Arkansas Higher Education Coordinating Board, the need for various upper-level and graduate programs and courses and shall encourage such institutions to offer the needed programs and courses.

(d) It is the responsibility of the Mississippi County Community College District to provide facilities for approved courses and programs at the university center at the Mississippi County Community College.

(e) This section does not authorize the Mississippi County Community College to assume the status of a four-year institution.

(f) For the purposes of this section:

(1) "Graduate course" means a university course intended for students who have completed a baccalaureate degree;

(2) "Graduate program" means a prescribed series of graduate courses which lead to a post-baccalaureate degree;

(3) "Upper-level course" means a university course which is considered junior or senior level at the institution offering the course and is not offered at the freshman or sophomore level at the Mississippi County Community College; and

(4) "Upper-level program" means a prescribed series of university courses offered at the junior and senior level, which, when combined with a prescribed series of freshman and sophomore courses, qualify successful students for the baccalaureate degree.

History. Acts 1992 (1st Ex. Sess.), No. 64, §§ 1, 2; 1992 (1st Ex. Sess.), No. 65, §§ 1, 2.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 and 6-9 and

references to "this chapter" and "this subchapter" in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

6-61-529. Local boards — Appointment or election of members.

(a)(1) Within sixty (60) days after April 19, 1995, the local board of each community college shall, by resolution, choose:

(A) To continue as a board whose members are elected; or

(B) To become a newly constituted board whose members are appointed by the Governor under the provisions of this section.

(2) The board of the local community college shall immediately thereafter notify the Governor of its decision.

(b)(1)(A) If the local community college board chooses to become an appointed board, positions on the board shall become vacant as current terms expire, and persons who are residents and qualified electors of the community college district shall be appointed by the Governor for terms of six (6) years.

(B) To the extent possible, the Governor shall assure equitable representation on the board with regard to race and geographic distribution from throughout the district.

(2)(A) Vacancies on the appointed board due to death, resignation, or other causes shall be filled by appointment of the Governor to serve the remainder of an unexpired term.

(B) A person so appointed is eligible for appointment to a subsequent full term on the board.

(c)(1) Except as provided in subsection (d) of this section, if the local community college board chooses to remain an elected board, beginning with the 1996 general election, the qualified electors of a community college district having a ten percent (10%) or greater population in any one (1) racial minority, as reported by the most recent federal decennial census information, shall elect the members of the local board as follows, utilizing selection procedures in compliance with the federal Voting Rights Act of 1965:

(A) At least ninety (90) days before the election, the local board shall, with approval of the county board of election commissioners of any county in which the community college is located, divide the district into nine (9) zones, or the local board may, by resolution, utilize existing quorum court districts. Zones shall have substantially equal population, with boundaries based on the most recent available federal decennial census information;

(B) A candidate for election from a zone or a quorum court district must be a qualified elector and a resident of the zone or district.

(2)(A) A board member shall serve a six-year term.

(B) A term shall commence after the county court declares the results of the election by an order entered of record and on January 1 next following the date of the election.

(3)(A) After each federal decennial census and at least ninety (90) days before the general election, the local board shall, with approval of the county board of election commissioners of any county in which the community college is located, divide the district into nine (9) zones, or the local board may, by resolution, utilize quorum court districts. The zones or quorum court districts shall be based on the most recent federal decennial census information and be substantially equal in population.

(B) At the general election following the rezoning, a new local board shall be elected in accordance with procedures set forth in this section.

(d) If division into zones for election purposes would not create a voting zone with twenty percent (20%) or greater population in any one (1) racial minority, the district shall be exempt from subsection (c) of this section.

History. Acts 1995, No. 1349, § 1; references to "this chapter" and "this subchapter" in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 and 6-9 and

As enacted by Acts 1995, No. 1349, subdivision (c)(2)(A) began: "Except as provided in subsection (d) of this section."

As enacted by Acts 1995, No. 1349, this section also contained a subsection (d) which read: "(d) At the first meeting of a new local board, the members shall establish initial terms by lot so that, to the extent possible, an equal number of posi-

tions are filled every two (2) years and not more than five (5) members' terms expire every two (2) years."

Amendments. The 2001 amendment added "Except as provided in subsection (d) of this section" in (c)(1); and added (d).

U.S. Code. The Voting Rights Act of 1965, referred to in this section, is codified as 42 U.S.C. § 1971 et seq.

6-61-530. Local boards — School district representation.

(a) If the members of the local board of a community college are elected at large and if the community college district is composed of more than one (1) school district, but not all the school districts in the county, the board may apportion a certain number of positions on the board for each school district according to the most recent census information.

(b) The board shall reapportion the positions on the board for each school district following each decennial census thereafter.

(c) If at the time of either the initial apportionment or the decennial reapportionment, a board member's position is apportioned to a school district in which he or she does not reside at that time, he or she shall nevertheless continue to hold office until the end of his or her term.

(d) After such apportionment, the qualified electors of each school district shall vote at large only for the board positions apportioned to their school district.

(e) Following apportionment, all board members and all candidates for board positions shall be residents and qualified electors of the school district to which their positions are apportioned, except as provided in subsection (c) of this section.

(f) If any board member shall cease to reside in the school district to which his or her position is apportioned, then that board member shall be disqualified to hold office, and a vacancy shall exist which shall be filled as prescribed by law.

(g) The provisions of this section shall not be applicable to or in any way affect the qualifications or current term of any person serving on a community college board on March 1, 1999.

History. Acts 1997, No. 1258, § 1; 1999, No. 771, § 1.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 and 6-9 and references to "this chapter" and "this subchapter" in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

Amendments. The 1999 amendment

added (b)-(g); in (a), substituted "If" for "Beginning with the 1998 election, if" at the beginning of the sentence and deleted "so long as all board members are residents and qualified electors of the community college district and the school district" following "census information"; and made stylistic changes.

CASE NOTES

Cited: *Parsons v. State*, 341 Ark. 150, 15 S.W.3d 339 (2000).

6-61-531. Arkansas Heavy Equipment Operator Training Academy — Establishment.

(a)(1) The Arkansas Heavy Equipment Operator Training Academy is established as a satellite center of South Arkansas Community College.

(2) The academy shall be the Arkansas single-source academy offering statewide services and satellite training for the operation of heavy equipment.

(3) The permanent headquarters of the academy shall be located in Warren.

History. Acts 2003, No. 683, § 1.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-4 and 6-9 and references to “this chapter” and “this sub-

chapter” in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

6-61-532. Arkansas Heavy Equipment Operator Training Academy — Operation.

(a)(1)(A) The Arkansas Heavy Equipment Operator Training Academy shall follow hiring procedures approved by the President of South Arkansas Community College in recommending academy personnel for hire.

(B) The president shall exercise final approval over the hiring of academy personnel.

(2) Persons employed by the academy as of July 1, 2003, shall be retained unless they fail to fulfill their assigned duties or unless lack of enrollment in or funding of the academy necessitates staff reduction.

(3) The salaries of persons who are employed by the academy as of July 1, 2003, shall not be reduced as a result of this section and §§ 6-61-531 and 6-61-533.

(4) Persons who are nonclassified employees and faculty of the academy as of July 1, 2003, will remain under the academy’s pay schedule.

(5) Persons employed by the academy as of July 1, 2003, may join the South Arkansas Community College’s Fringe Benefits Package, which includes the Arkansas Teacher Retirement System.

(6) South Arkansas Community College will accept any leave balances for academy personnel that have accrued as of July 1, 2003, if the leave balance does not exceed the maximum leave allowed under Arkansas law.

(b) The Director of the Arkansas Heavy Equipment Operator Training Academy will report directly to the president regarding the operation of the academy.

(c) The academy shall continue to offer certificates and diplomas for the training of heavy equipment operators.

(d) The Arkansas Heavy Equipment Operator Training Academy Advisory Committee shall continue to make recommendations regarding the operation of the academy and its curriculum.

History. Acts 2003, No. 683, § 2.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-4 and 6-9 and references to “this chapter” and “this sub-

chapter” in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

6-61-533. Arkansas Heavy Equipment Operator Training Academy — Funding.

(a)(1) All legislatively appropriated funds, tuitions, grant moneys, and donations designated for the Arkansas Heavy Equipment Operator Training Academy shall be specifically used for the operation of the academy.

(2) All moneys appropriated or designated for the academy shall be maintained:

(A) In accounts separate from accounts for South Arkansas Community College;

(B) In Bradley County financial institutions whenever possible; and

(C) Following state accounting procedures and guidelines.

(3) The Director of the Arkansas Heavy Equipment Operator Training Academy will develop, recommend, and monitor the academy’s annual budget.

(4) The chief fiscal officer of the South Arkansas Community College or his or her designee shall regularly monitor academy books, banking records, accounts, and expenditures.

(b)(1) The academy shall remain under the supervision of the director, who shall be assisted by the academy coordinator.

(2) The Director of the Southeast Arkansas Community-Based Education Center may serve as the director of the academy.

History. Acts 2003, No. 683, § 3.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-4 and 6-9 and references to “this chapter” and “this sub-

chapter” in §§ 6-61-501 — 6-61-524 may not apply to this section which was enacted subsequently.

SUBCHAPTER 6 — COMMUNITY COLLEGES — FINANCES

SECTION.

6-61-601. General operations — State funds.

6-61-602. General operations — Millage taxes.

SECTION.

6-61-603. Capital outlays generally.

6-61-604 — 6-61-612. [Repealed.]

6-61-613. Purchases from board members and employees.

Effective Dates. Acts 1977, No. 560, § 30; Mar. 21, 1977. Emergency clause provided: "It has been found and is hereby determined by the General Assembly that comprehensive planning for post-secondary education in Arkansas must be given greater emphasis. Further delay would possibly affect the educational opportunities available to citizens of the State and the quality of these opportunities. Therefore, an emergency is declared to exist, and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1981, No. 29, § 3; Feb. 6, 1981. Emergency clause provided: "It has been found and is hereby declared by the Gen-

eral Assembly of the State of Arkansas that the financing of capital improvements for community colleges is not feasible under existing maximum interest rate limitations, that these capital improvements are essential to the continued development of the community college program in this State and the continued improvement of educational opportunities for her people, and that necessary capital improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

6-61-601. General operations — State funds.

(a) Funds for the general operation of an adequate comprehensive educational program shall be provided by the state.

(b)(1) Prior to the beginning of each biennium, the local board of each community college shall develop an estimate of budget requirements for the operation of the community college for each year of the biennium and shall submit it to the State Community College Board for review.

(2) The estimate of budget requirements shall include both expected expenditures and incomes.

(c)(1) Based on the estimates submitted by the community colleges and estimates of funds required for additional institutions that may be created during the ensuing biennium, the board shall recommend to the General Assembly and the Governor its estimate of funds necessary to support existing community colleges and ones that may be established.

(2) The amount of state revenues to be recommended for the general operation of each community college shall be the difference between the recommended budget and the total of income for general operation, including student fees and any other income except local taxes. The recommended budget for general operation shall be sufficient to provide an adequate comprehensive educational program which serves the needs of the state and the community college's service area as determined by the board.

(d) Replacement of initial equipment shall be considered as an operating cost.

History. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-602. General operations — Millage taxes.

(a) In the event the local board of a community college wishes to spend larger sums of money than the state funds provided for general operation of the community college for whatever reasons consistent with the state law, it shall be lawful for millage to be levied from time to time to provide additional operation funds.

(b) The millage can be approved at the election to create the community college district or the question of approving the millage can be submitted to the voters of the district from time to time thereafter at special or general elections.

(c)(1) The local board of each community college shall certify, within the time provided by law, to the appropriate tax levying authority of each county or city of the district the aggregate millage to be levied for the district for operating purposes and indebtedness purposes, and the millage shall be levied and collected in the manner provided by law.

(2) If the amount of the budget to be supported from taxes levied by the district is in excess of the amount to be produced from taxes then authorized for the district, after allowing for tax proceeds pledged for indebtedness purposes, the local board of the community college shall certify the additional millage required to the county board of election commissioners of each county of which any portion is in the community college district. However, millage together with the rate then levied will not exceed ten (10) mills.

(3) The question of the levy shall be placed on the ballot at the next following general election or a special election called for that purpose as determined by the local board.

(d)(1) When the local board of a community college determines that the question of a tax levy in the district should be submitted to the electors of the district at a special election, it shall adopt a resolution to that effect and shall file a certified copy of the resolution with the county board of election commissioners of each county of which any portion is in the district that a special election shall be held in the district and shall set the date of the election, which shall be not less than thirty (30) days nor more than sixty (60) days after the date of the notice to the county board of election commissioners.

(2) The county board of election commissioners in each county of which any portion is included in a community college district shall prepare the ballots, furnish the election supplies, select the election judges and clerks, and make all necessary arrangements for conducting such elections.

(3) All laws applicable to the conduct of general elections, counting of ballots, and certification of the results thereof, and other matters

relating to the holding of general elections, so far as the laws are appropriate shall be applicable to special elections held pursuant to the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed].

(4) All expenses of conducting special elections held pursuant to the provisions of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] shall be paid from funds of the respective community college districts in which the elections are held.

(e) If the proposed additional millage is approved by the majority of the qualified electors of the district voting on such issue at a general or special election, the additional millage shall be a continuing levy until reduced as provided in subsection (f) of this section.

(f) Whenever the local board of any college determines that the rate of tax levied by the district, including the amount thereof pledged for indebtedness purposes, is greater than is necessary, the local board shall certify the reduced rate of millage to the appropriate tax levying authority of each county or city of the district, and the reduced rate of millage shall be levied and shall be extended on the tax books as the rate of tax due that community college district until a greater amount of tax shall be certified by the local board of the college as authorized in this section.

(g) In the case of community college districts existing at the time this law is enacted, existing millages which have been approved by the voters of the district may continue to be levied by the district at the discretion of the local board except that upon the petition of voters, as provided in § 6-61-510, or upon request of the local board, an election may be called to repeal operating millage, reduce operating millage, or authorize the transfer of operating millage to capital uses.

History. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912.

Publisher's Notes. In reference to the term "at the time this law is enacted," Acts

1977, No. 560, § 30 provided that the act would become effective from and after its passage and approval. The act was signed by the Governor on March 21, 1977.

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-603. Capital outlays generally.

(a) [Repealed.]

(b) Capital outlay expenses shall be paid from gifts, grants, profits from auxiliary enterprises, tuition, fees, local millages, and other local funds and may be paid from state funds appropriated for such purposes.

History. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912; Acts 1991, No. 1242, § 1; 1993, No. 374, § 15; 1993, No. 423, § 2; 1995, No. 1297, § 3.

A.C.R.C. Notes. Pursuant to § 1-2-207 this section is set out above as amended by Acts 1993, No. 423, § 2.

Acts 1993, No. 374, § 15, also amended subsection (b) to read as follows: "While capital outlay expenses may not be paid from funds from the general operating budget, such as state funds, capital outlay expenses may be paid from funds outside of the general operating budget, such as

gifts, grants, or profits from auxiliary enterprises."

Acts 1993, No. 382, § 2 also amended subsection (b) to read as follows: "While capital outlay expenses may not be paid from funds from the current year's general operating budget such as state funds, tuition, or fees, capital outlay expenses may be paid from funds from outside of the current year's general operating budget such as gifts, grants, unexpended cash funds from previous years' operating budgets, or profits from auxiliary enterprises."

CASE NOTES

Cited: Hadley v. North Ark. Community Technical College, 76 F.3d 1437 (8th Cir. 1996).

6-61-604 — 6-61-612. [Repealed.]

Publisher's Notes. These sections, concerning bond issues to finance capital outlay expenses, were repealed by Acts 1993, No. 374, § 16. The sections were derived from the following sources:

6-61-604. Acts 1977, No. 560, § 12; 1981, No. 29, §§ 1, 2; A.S.A. 1947, § 80-4912.

6-61-605. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-606. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-607. Acts 1977, No. 560, § 12; 1981, No. 29, § 1; A.S.A. 1947, § 80-4912.

6-61-608. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912.

6-61-609. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912.

6-61-610. Acts 1977, No. 560, § 12; 1981, No. 29, § 2; A.S.A. 1947, § 80-4912.

6-61-611. Acts 1977, No. 560, § 12; 1985, No. 459, § 1; 1985, No. 787, § 1; A.S.A. 1947, § 80-4912; Acts 1992 (1st Ex. Sess.), No. 65, § 3; 1993, No. 321, § 1.

6-61-612. Acts 1977, No. 560, § 12; A.S.A. 1947, § 80-4912; Acts 1992 (1st Ex. Sess.), No. 65, § 4.

6-61-613. Purchases from board members and employees.

(a)(1) The board of directors of each community college may adopt written policies authorizing the community college to purchase commodities and services from members of the board and employees of the community college.

(2) The board may restrict the purchases to competitive bids or negotiated purchases, or both.

(3) When any board member would derive financial gain from a sale to the community college, and if the board is required to vote on the purchase, that board member shall not vote on that issue.

(b) The president of each community college shall maintain a file of all documents pertaining to sales to the community college by members of its board or its employees. Such documents shall be maintained for five (5) years and shall be open to public inspection under the Freedom

of Information Act of 1967, § 25-19-101 et seq., and shall be audited by the Division of Legislative Audit.

(c) No member of a community college board of directors and no employee of a community college shall, in an effort to influence the college to purchase commodities or services from him or her:

(1) Coerce, bribe, or threaten economic sanctions against any board member or employee of the college in an effort to influence the decision on the purchase; or

(2) Purposely omit, conceal, or falsify material facts to a board member or employee regarding the transaction.

History. Acts 1989, No. 248, §§ 1-3.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-5, 7-9 and §§ 6-

61-601 — 6-61-603 may not apply to this section which was enacted subsequently.

SUBCHAPTER 7 — RICH MOUNTAIN COMMUNITY COLLEGE

SECTION.

6-61-701. Legislative findings and purpose.

6-61-702. Definition — Name of district and college.

6-61-703. Subchapter cumulative.

6-61-704. Transfer of title to certain land.

SECTION.

6-61-705. Operation as a comprehensive institution.

6-61-706. Employees.

6-61-707. [Repealed.]

6-61-708. Building trades construction program.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-61-701 — 6-61-706 may not apply to § 6-61-708 which was enacted subsequently.

Acts 1991, No. 640, § 10, provided: "The Rich Mountain Community College shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Rich Mountain Community College shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Rich Mountain Community College does not exceed 25% of that required for a full time employee."

Effective Dates. Acts 1983, No. 16, § 5: Feb. 2, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that the State Board of Higher Education, acting in its capacity as a State Community College Board, has conducted studies and has given its approval to the establishment of a community college district in Polk

County, Arkansas, conditioned upon the electors of said County voting in favor thereof and levying sufficient millage to provide the monies necessary for the construction of buildings and facilities required by the district; that the State Board of Higher Education has determined it would be in the best interest of a community college district established in Polk County, if established, that the Mena off-campus Branch program of Henderson State University now operated in Mena, Polk County, Arkansas, be terminated in the event said district is created, and, that the educational and technical training needs of the area to be served by said community college could best be met by transferring the properties, buildings, and facilities, and the monies provided for the operation of the Rich Mountain Vocational-Technical School to the community college district in Polk County, to be operated as a vocational-technical program of said district; and that the creation of said district is dependent upon the passage of this Act, in order that the electors of Polk County may, in the manner provided by law, file petitions for a special election on the question of creating said community

college district, and that the immediate passage of this Act is necessary to implement the recommendations of the State Board of Higher Education, and to authorize the holding of an election on the question of creating said community college district in Polk County without further delay, to meet the educational and technical training needs of the area to be served. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 281, § 10: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that

the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

6-61-701. Legislative findings and purpose.

(a) In the passage of this subchapter, the General Assembly is cognizant of the fact that the Arkansas Higher Education Coordinating Board, acting under the authority of §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] and under criteria and standards promulgated thereunder for the establishment of community college districts, has, at the request of interested citizens of Polk County, Arkansas, made a study and has given its approval for the establishment of a community college in Mena, Polk County, Arkansas, if the electors of Polk County vote to establish the district in the manner provided by law and approve a levy of tax deemed by the board to be necessary for providing buildings and other facilities necessary for the operation of the community college.

(b) In order to meet the postsecondary educational needs of the area to be served by a Polk County community college, the Arkansas Higher Education Coordinating Board, acting in its capacity as the State Community College Board, has determined that the establishment of a community college district in Polk County should be conditioned upon the assumption by the community college of the off-campus branch instruction now being provided citizens of the area through the Mena Off-Campus Branch of Henderson State University and that the funds now allocated to the operation of the Henderson State University, Mena Off-Campus Branch, be allocated to and made available for the operation of the community college established in Polk County, and has further provided that the Rich Mountain Vocational-Technical School operated by the Department of Workforce Education be taken over and operated by the Polk County community college, with all properties,

furniture, equipment, personnel, and funds now provided for the operation of the Rich Mountain Vocational-Technical School to be turned over to the community college district established in Polk County, to be used in the operation of a vocational-technical program by the community college.

(c) The purpose of this subchapter is to authorize the appropriate officials of the State of Arkansas to take the necessary steps to implement the aforementioned recommendations of the Arkansas Higher Education Coordinating Board, which are conditions for the establishment of a community college district in the event a majority of the electors of Polk County voting on the issue vote "for" the establishment of a community college district in Polk County.

History. Acts 1983, No. 16, § 1; A.S.A. 1947, § 80-4911n.

Publisher's Notes. The establish-

ment of the district and the tax levy, referred to in this section, were approved by the electors.

6-61-702. Definition — Name of district and college.

(a) Whenever the term "Polk County community college district", "the Polk County community college", or "the Polk County community college district board" is used in this subchapter, the term is used solely for the purpose of referring to a community college district to be established in Polk County in the manner provided by law and is not intended to establish the legal name of the community college district or of the community college itself.

(b) The community college district shall bear such name as proposed therefor in the petition filed by the electors of Polk County calling for an election on the question of creating the community college district, and the name of the institution operated by the community college district shall be selected by the board of trustees of the district subject to approval thereof by the Arkansas Higher Education Coordinating Board.

History. Acts 1983, No. 16, § 1; A.S.A. 1947, § 80-4911n.

Publisher's Notes. The Polk County

community college established pursuant to this subchapter is named "Rich Mountain Community College."

6-61-703. Subchapter cumulative.

The provisions of this subchapter shall be cumulative to the laws of this state governing the creation and operation of community colleges and vocational-technical school programs operated by community colleges.

History. Acts 1983, No. 16, § 4; A.S.A. 1947, § 80-4911n.

6-61-704. Transfer of title to certain land.

Title to the following-described lands in Polk County, State of Arkansas, belonging to the State Board of Workforce Education and Career Opportunities and used for the operation of the Rich Mountain Vocational-Technical School, is transferred to and shall become the property of the board of trustees of the community college district established in Polk County, to be used in connection with the vocational-technical programs and educational programs of such community college: "The Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼) of Section Eight (8), Township Two (2) South, of Range Thirty (30) West, containing forty (40) acres, more or less, in Polk County, Arkansas, subject to the reservation of a twenty-five foot (25') strip of land off of the north side of the tract, for roadway purposes."

History. Acts 1983, No. 16, § 2; A.S.A. 1947, § 80-4911n.

Publisher's Notes. Acts 1983, No. 16, § 2, provided, in part, that, following the election approving the establishment of a Polk County community college district and a tax assessment for the construction and operation of such a community college, the Director of the Department of Higher Education would certify to certain officials that a community college district had been established and that the board of the district had been selected and organized to assume the control and management of the district. The transfer by warranty deed of the property described in this section was to occur within ten (10) days after receipt of the certification al-

though failure to furnish the deed would not nullify the transfer of the property.

Additionally, § 2 provided for the transfer of all buildings, fixtures, improvements, and personal property of, and funds appropriated for, the Rich Mountain Vocational-Technical School and the Mena Branch off-campus program of Henderson State University to the Polk County community college. The section further provided that any leases, rental agreements, or other contractual obligations of Henderson State University in connection with the Mena Branch off-campus program would be assumed by the Polk County community college district for the remainder of the unexpired portions of the leases or contracts.

6-61-705. Operation as a comprehensive institution.

The community college in Polk County shall be operated as a comprehensive institution providing community college and vocational-technical instruction and programs in the same manner as provided by law as other community colleges of this state under the jurisdiction of the State Community College Board.

History. Acts 1983, No. 16, § 3; A.S.A. 1947, § 80-4911n.

6-61-706. Employees.

(a)(1) If the presidents and the boards of trustees of the community college in Polk County and Henderson State University determine that it would be in the best interest of the educational programs of the community college that employees of Henderson State University assigned to the Mena Off-Campus Branch of the university continue to provide educational services until the community college can employ

sufficient staff to take over the operation of the educational program of the community college, the boards of trustees may enter into necessary contracts and agreements to provide for the orderly transition of the taking-over of the educational programs of the community college by its board of trustees.

(2) The contracts and agreements may also include the necessary financial agreements for payments to be made by the community college to Henderson State University for services rendered to the community college during the transition period.

(3) The agreements may include the employment by the community college in Polk County of staff persons of Henderson State University engaged in teaching and instructional duties at the Mena Off-Campus Branch of Henderson State University at the time of the implementation of the operation of the community college or may include agreements for the community college to contract with Henderson State University for the providing of the educational and training services of such instructors under such financial agreements as may be mutually agreed to by the respective institutions.

(b)(1) Employees of Henderson State University whose services are contracted to the community college in Polk County for teaching duties during the transition period shall continue to participate in the retirement systems, as authorized by law, for Henderson State University during the period of the contract services, but in the event any such employee terminates service with Henderson State University and is employed by the community college district, the employee shall be eligible to become a member of, and participate in, a retirement plan, as authorized by law, for the community college district.

(2) Other employees of the vocational-technical program of the community college established in Polk County who were not employees of the Rich Mountain Vocational-Technical School at the time of the transfer of the school to the community college shall be eligible to participate in such retirement plans as are operated by the community college, as authorized by law.

History. Acts 1983, No. 16, §§ 2, 3; A.S.A. 1947, § 80-4911n.

Publisher's Notes. Acts 1983, No. 16, § 3, provided in part that the employees of the Rich Mountain Vocational-Technical School employed at the time of the transfer of the school to the Polk County community college could continue to participate in the retirement plans they were

participating in during their employment by the Division of Vocational and Technical Education of the Department of Education; however, within one year after the transfer, they could make application for and receive retirement coverage under some other retirement plan operated by the community college district.

6-61-707. [Repealed.]

Publisher's Notes. This section, concerning a housing allowance for the Rich Mountain Community College president, was repealed by Acts 1995, No. 70, § 4.

The section was derived from Acts 1989 (1st Ex. Sess.), No. 281, § 5. For present law, see § 6-61-525.

6-61-708. Building trades construction program.

Rich Mountain Community College is hereby authorized to participate in a building trades construction program as may be authorized, and under the same restriction provided, by laws for the area vocational and technical schools. Funding for such programs shall be only from revenues received by Rich Mountain Community College that are not required by law to be deposited in the State Treasury.

History. Acts 1989 (1st Ex. Sess.), No. 281, § 6.

A.C.R.C. Notes. Former § 6-61-708, concerning building trades construction program, is deemed to be superseded by this section. The former section was derived from Acts 1987, No. 746, § 6.

References to “this chapter” in subchapters 1-6, 8, and 9 and references to “this chapter” and “this subchapter” in §§ 6-61-701 — 6-61-706 may not apply to this section which was enacted subsequently.

SUBCHAPTER 8 — ARKANSAS RESEARCH DEVELOPMENT ACT

SECTION.

- 6-61-801. Title.
- 6-61-802. Intent.
- 6-61-803. Arkansas Research Development Program created — Administration.

SECTION.

- 6-61-804 — 6-61-806. [Repealed.]
- 6-61-807. Funds — Uses.
- 6-61-808. Applications for funds.
- 6-61-809. [Repealed.]

6-61-801. Title.

This subchapter may be cited as the “Arkansas Research Development Act”.

History. Acts 1985, No. 583, § 1; A.S.A. 1947, § 80-4928.

6-61-802. Intent.

It is the intent of this subchapter to provide a source of funding to established research groups in publicly supported universities in this state in order to secure long-term benefits for such groups so that they may become recognized as leaders in their fields of endeavor and thereby attract outstanding scientists to this state as well as industries which rely upon scientific support.

History. Acts 1985, No. 583, § 2; A.S.A. 1947, § 80-4929.

6-61-803. Arkansas Research Development Program created — Administration.

There is created a program to be known as the Arkansas Research Development Program which shall be administered by the Director of the Department of Higher Education.

History. Acts 1985, No. 583, § 3; A.S.A. 1947, § 80-4930; Acts 1991, No. 343, § 4.

6-61-804 — 6-61-806. [Repealed.]

Publisher's Notes. Acts 1991, No. 343, § 4, provided: "The Board of Advisors for the Development of Research in Higher Education created under Arkansas Code § 6-61-804 is abolished."

These sections, concerning the Board of Advisors, were repealed by Acts 1991, No. 343, § 4. They were derived from the following sources:

6-61-804. Acts 1985, No. 583, §§ 3, 4; A.S.A. 1947, §§ 80-4930, 80-4931.

6-61-805. Acts 1985, No. 583, § 3; A.S.A. 1947, § 80-4930.

6-61-806. Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931.

6-61-807. Funds — Uses.

Funds may be made available for administration of the Arkansas Research Development Program, for purchasing state-of-the-art equipment, for minor renovation of laboratory space, for publication of findings, for employing scientists or research assistants, and for providing any other assistance to scientists in order to develop a continuing research capacity in this state which is recognized by other scientists as exemplary.

History. Acts 1985, No. 583, § 2; A.S.A. 1947, § 80-4929.

6-61-808. Applications for funds.

(a) Application for the funds provided for the Arkansas Research Development Program may be made by any publicly supported university in the State of Arkansas.

(b)(1) The Director of the Department of Higher Education shall review the applications and shall approve applications in the amount he or she determines appropriate, after seeking the advice of the Legislative Council.

(2) The director shall prepare a voucher in the name of the successful applicant in the amount approved by the director.

(c) In determining the successful applicant, the director shall ensure that the funds will be used to:

(1) Assist the state in its competition with other states and communities in attracting technology-based industry or in strengthening such industries currently in the state;

(2) Develop a continuous research and development program such that high quality research capability is available to high-technology industries; and

(3) Assist established and relatively successful research programs to gain national or regional recognition.

History. Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931; Acts 1991, No. 343, § 4.

6-61-809. [Repealed.]

Publisher's Notes. This section, concerning disbursement of funds, was repealed by Acts 1991, No. 343, § 4. The

section was derived from Acts 1985, No. 583, § 4; A.S.A. 1947, § 80-4931.

SUBCHAPTER 9 — OFFICE OF ACCOUNTABILITY

SECTION.

6-61-901. Purpose.

6-61-902. Office of Accountability within the Department of Higher Education.

SECTION.

6-61-903 — 6-61-905. [Repealed.]

A.C.R.C. Notes. Acts 1991, No. 856, § 6, provided: "Establishment of the Office of Accountability and implementation of the provisions of this legislation which directly affect the operation of the Arkansas Department of Higher Education shall be contingent on the appropriation and funding of the staff and operating budget necessary to allow the Department of Higher Education to carry out the duties assigned to the Department in this act. If no specific appropriation and funding to establish the Office of Accountability is enacted during the 78th Regular Session of the General Assembly, it shall be inoperative until such specific appropriation and funding is enacted."

The contingency of Acts 1991, No. 856, § 6 is deemed to have been met by appropriations contained in Acts 1991, No. 1120, § 9.

Effective Dates. Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abol-

ished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-61-901. Purpose.

In order to enhance the public's access to performance indicators and to better measure the dividends paid on the increasing public investment in Arkansas' institutions of higher education, the General Assembly finds that a separate office of accountability should be established within the Department of Higher Education.

History. Acts 1991, No. 856, § 1; 1997, No. 112, § 18; 1999, No. 479, § 2.

Amendments. The 1999 amendment

deleted the former second and third sentences.

6-61-902. Office of Accountability within the Department of Higher Education.

(a) There is created the Office of Accountability within the Department of Higher Education.

(b) The office is authorized and directed to collect and analyze information that may be required to meet any state or federal requirement.

(c) Under the direction of the Director of the Department of Higher Education, the staff of the office shall work cooperatively with and provide any necessary assistance to the House Interim Committee on Education and the Senate Interim Committee on Education.

History. Acts 1991, No. 856, § 2; 1999, No. 479, § 3.

Amendments. The 1999 amendment rewrote (b); and added (c).

6-61-903 — 6-61-905. [Repealed.]

Publisher's Notes. Former §§ 6-61-903 — 6-61-905, concerning duties, reports, cooperation with legislative committees, and the advisory committee, were repealed by Acts 1999, No. 479, §§ 4-6.

They were derived from the following sources:

6-61-903. Acts 1991, No. 856, § 3.

6-61-904. Acts 1991, No. 856, § 4.

6-61-905. Acts 1991, No. 856, § 5.

SUBCHAPTER 10 — TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENT ACT

SECTION.

6-61-1001. Title.

6-61-1002. Definitions.

6-61-1003. Issuance of bonds.

6-61-1004. Authorization of bond issue —
Terms of authorizing resolution.

6-61-1005. Additional terms of authorizing resolution.

6-61-1006. Signature on bonds.

6-61-1007. Interest on bonds.

6-61-1008. Sale of bonds.

6-61-1009. Liability.

SECTION.

6-61-1010. Authority of Arkansas Higher Education Coordinating Board.

6-61-1011. Authority of board of trustees — Issuance of bonds.

6-61-1012. Authority of board of trustees — Financing a project.

6-61-1013. Authority of board of trustees — Refunding bonds.

6-61-1014. Authority of board of trustees — Use of available funds.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-9 may not apply to this subchapter which was enacted subsequently.

Effective Dates. Acts 1993, No. 374, § 19; Mar. 5, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly

that technical colleges and community colleges are necessary components of higher education in Arkansas in order for quality educational programs to be available in all areas of the state and to all people; that the technical and community colleges must achieve accreditation from the North Central Association — Commission

on Institutions of Higher Education by 1997 or they will be abolished by the State Board of Higher Education; that in order to achieve accreditation, new sources for funding capital outlay expenses for technical colleges, as well as an improvement in the method whereby community colleges can issue bonds, must be found at once; that it is necessary for this act to

become effective immediately so that Arkansas technical and community colleges can be fully accredited before the 1997 deadline. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval."

6-61-1001. Title.

This subchapter shall be known as and may be cited as the "Technical College and Community College Capital Improvement Act of 1993".

History. Acts 1993, No. 374, § 1.

6-61-1002. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Board of trustees" means the local board of trustees of a technical or a community college that is a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board;

(2) "Bonds" means any evidences of indebtedness issued by a board of trustees pursuant to this subchapter;

(3) "Capital improvements" means the construction, repair, or renovation of buildings, including, without limitation, laboratories, libraries, portable classrooms, special events centers, training facilities, student housing, parking facilities, theaters, meeting halls, dining facilities, and administrative offices; the purchase of existing buildings or structures; the renovation or demolition of existing structures; the purchase of sites for the construction of capital improvements; the purchase of equipment, apparatus, or library materials for any facilities used by the technical college or the community college; any improvement that may be the subject of a capital outlay expense as defined in § 6-53-103(2); or any other improvements that a board of trustees deems reasonable and necessary for the development of the technical college or the community college;

(4) "Community college" means a two-year institution of higher education established pursuant to §§ 6-61-101 — 6-61-103, 6-61-201 — 6-61-209, 6-61-211 [repealed], 6-61-212 — 6-61-216, 6-61-301 — 6-61-305, 6-61-306 [repealed], 6-61-401, 6-61-402, 6-61-501 — 6-61-524, 6-61-601 — 6-61-603, and 6-61-604 — 6-61-612 [repealed] and the Two-Year Postsecondary Education Reorganization Act, § 6-53-101 et seq., and a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board.

(5) "Costs of issuance" means all costs associated with the issuance of bonds, including, without limitation, printing, publication, and notice

expenses; the fees and expenses of trustees and paying agents; and the fees and expenses of financial advisors, underwriters, attorneys, consultants, and other professionals engaged to assist a board of trustees in issuing bonds;

(6) "Debt service" means the payment of principal, interest, redemption premiums, if any, the fees of trustees and paying agents, and servicing fees relating to the bonds;

(7) "Project" means the development, construction, or acquisition of any capital improvement authorized by this subchapter;

(8) "Project costs" means all or any part of the costs of developing any project hereunder, and all or any part of costs incidental thereto, including, without limitation, planning, design, and engineering fees and expenses, payment of capitalized interest, and the funding of appropriate reserves;

(9) "State" means the State of Arkansas;

(10) "State board" means the Arkansas Higher Education Coordinating Board;

(11) "Technical college" means a two-year institution of higher education established pursuant to the Two-Year Postsecondary Education Reorganization Act of 1991, § 6-53-101 et seq., or § 6-54-101 et seq., and a member of the Arkansas Technical and Community College System under the coordination of the Arkansas Higher Education Coordinating Board.

History. Acts 1993, No. 374, § 2.

6-61-1003. Issuance of bonds.

The board of trustees is authorized and empowered to issue its bonds with a specific pledge for the payment of debt service and costs of issuance thereof from all or any part of the following:

(1) The gross tolls, fees, rents, and other charges to be derived as income from the project;

(2) Any surplus not pledged of the gross tolls, fees, rents, and other charges to be derived from other projects financed in whole or in part by bonds issued by the board;

(3) All or any part of revenues derived from any auxiliary enterprise authorized by law;

(4) Tuition and fees collected from students;

(5) All or any part of the proceeds of any tax or special millage now or hereafter approved by the General Assembly for the accomplishment of the purposes of this subchapter;

(6) All or any part of the revenues described in § 6-53-207(d) and (e) and § 6-61-603(b); and

(7)(A) Any funds received from the United States, or any department or agency thereof, pursuant to any act of the United States Congress, providing for grants or payments to educational institutions in connection with, or in any way pertaining to, the financing of

acquiring lands and constructing and equipping buildings and improvements thereon.

(B) In regard to the funds referred to in subdivision (7)(A) of this section, the board of trustees is authorized to take such action, comply with such terms and conditions, and execute such agreements as may be necessary to apply for, receive, pledge, or use such funds for the purposes specified in this subchapter or any other lawful purpose.

History. Acts 1993, No. 374, § 5.

6-61-1004. Authorization of bond issue — Terms of authorizing resolution.

(a) The bonds shall be authorized by resolution of the board of trustees of the technical college or the community college.

(b) The authorizing resolution may contain terms, covenants, and conditions that are deemed desirable by the board of trustees, including, without limitation, provisions:

- (1) Authorizing the issuance of bonds in series from time to time;
- (2) Pertaining to the custody and application of bond proceeds;
- (3) Pertaining to the maintenance of various funds and reserves;
- (4) Pertaining to the collection, depositing, securing, and disbursing of tax proceeds and other revenues;
- (5) Pertaining to the nature and extent of the security; and
- (6) Pertaining to the rights, duties, and obligations of the board and the holders and registered owners of the bonds.

History. Acts 1993, No. 374, § 7.

6-61-1005. Additional terms of authorizing resolution.

(a) The authorizing resolution may provide for the execution by the board of trustees of the technical college or the community college with a bank or trust company within or without the State of Arkansas of a trust indenture.

(b) The trust indenture may contain terms, covenants, and conditions that are deemed desirable by the board of trustees, including, without limitation, provisions:

- (1) Authorizing the issuance of bonds in series from time to time;
- (2) Pertaining to the custody and application of bond proceeds;
- (3) Pertaining to the maintenance of various funds and reserves;
- (4) Pertaining to the collection, depositing, securing, and disbursing of tax proceeds and other revenues;
- (5) Pertaining to the nature and extent of the security; and
- (6) Pertaining to the rights, duties, and obligations of the local board, the trustees, and the holders and registered owners of the bonds.

History. Acts 1993, No. 374, § 9; 1995, No. 1296, § 34.

6-61-1006. Signature on bonds.

Bonds shall be executed by the manual or facsimile signature of the chair and secretary of the board of trustees of a technical college or a community college. In case any of the officers whose signatures appear on the bonds shall cease to be an officer before the delivery date of the bonds, his or her signature shall nevertheless be valid and sufficient for all purposes.

History. Acts 1993, No. 374, § 10.

6-61-1007. Interest on bonds.

The bonds shall be registrable as to principal and interest, and the bonds may be in such form and denominations, may have such date or dates, may mature at such time or times not exceeding thirty (30) years from their date of issuance, may bear interest payable on such dates and at such rate or rates not exceeding the maximum rate allowed by law, may be payable at such place or places within or without the State of Arkansas, may be subject to such terms of redemption in advance of maturity at such prices, including such premiums, and may contain such terms and provisions, all as the board of trustees of the technical college or the community college shall specify in the authorizing resolution or in the trust indenture authorized by § 6-61-1005.

History. Acts 1993, No. 374, § 8.

6-61-1008. Sale of bonds.

(a) Bonds issued pursuant to this subchapter may be sold by negotiation or at public sale, as shall be determined by the board of trustees.

(b) If the bonds are sold by negotiation, the board of trustees is authorized to enter a bond purchase agreement upon such terms regarding discount and underwriting fees and at such interest rates as the board shall determine in the exercise of its reasonable discretion.

(c) If the bonds are sold at public sale, notice of such public sale shall be published in a newspaper of general circulation throughout the state at least twenty (20) days prior to the date of sale, and the sale of the bonds shall be awarded to the bidder whose bid results in the lowest net interest cost, taking into account any premium or discount contained in such bid.

History. Acts 1993, No. 374, § 11.

6-61-1009. Liability.

(a) The bonds shall be revenue bonds secured solely by the revenues pledged thereto, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(b) No member of any board shall be personally liable for the notes or bonds or for any damages sustained by anyone in connection with contracts for loans or the construction of the buildings, unless it shall be made to appear that he or she has acted with a corrupt intent.

History. Acts 1993, No. 374, § 12.

6-61-1010. Authority of Arkansas Higher Education Coordinating Board.

(a) The board of trustees shall not issue any bonds under the provisions of this subchapter unless, prior to the issuance of such notes or bonds, the board shall have obtained the advice of the Arkansas Higher Education Coordinating Board as to the economic feasibility of the particular project to be financed, in whole or in part, by those bonds.

(b) The board of trustees shall submit to the Arkansas Higher Education Coordinating Board information pertaining to the proposed project and other information deemed pertinent to, and requested by, the Arkansas Higher Education Coordinating Board.

(c) The Arkansas Higher Education Coordinating Board shall notify the board of trustees within thirty (30) days from the date the information is submitted to the state board of its advice with respect to the economic feasibility of the particular project.

(d) The advice of the Arkansas Higher Education Coordinating Board under this section shall not be binding on the board of trustees.

(e) The authority conferred upon the Arkansas Higher Education Coordinating Board by this section shall not extend to the feasibility of the bonds proposed to be issued by the board of trustees or to any of the terms, conditions, and provisions thereof, and this section shall not be construed to impair in any way the validity of any bonds issued by the board of trustees under this subchapter or to impair or affect in any way the obligations of the board of trustees or the rights of any holder or registered owner of the bonds.

History. Acts 1993, No. 374, § 6.

6-61-1011. Authority of board of trustees — Issuance of bonds.

(a) For the purpose of and in connection with the issuance of bonds, the board of trustees may execute such documents and enter into such agreements as it may deem necessary or proper in connection therewith.

(b)(1) Any agreement entered into by the board of trustees shall be binding in all respects upon the board of trustees and their successors from time to time in accordance with the terms and all of the provisions of the agreement.

(2) The terms and provisions shall be enforceable by appropriate proceedings at law or in equity, or otherwise, provided no mortgage or other lien shall be executed on any of the lands or buildings belonging to the State of Arkansas.

History. Acts 1993, No. 374, § 13.

6-61-1012. Authority of board of trustees — Financing a project.

The board of trustees is authorized and empowered to enter into the necessary contracts for the borrowing of all or any part of the funds that the board may determine will be required in connection with the financing of a project.

History. Acts 1993, No. 374, § 3.

6-61-1013. Authority of board of trustees — Refunding bonds.

(a) The board of trustees has the power to and is authorized to refinance, in whole or in part, from time to time, its valid outstanding obligations issued under this subchapter and any amendments hereto.

(b)(1) To that end, the board of trustees may issue refunding bonds.

(2) This power may be exercised successively, and any obligations which have once been refunded may thereafter from time to time be refunded.

(3) Refunding bonds shall be issued in the same manner as provided in this subchapter for original obligations.

History. Acts 1993, No. 374, § 14.

6-61-1014. Authority of board of trustees — Use of available funds.

The board of trustees is authorized to utilize any funds available to finance temporarily all or any part of the project and to make reimbursement of the funds from the proceeds of the sale of any bonds issued to finance a project permanently.

History. Acts 1993, No. 374, § 4.

SUBCHAPTER 11 — UNIVERSITY OF ARKANSAS AT FORT SMITH

SECTION.

6-61-1101. [Repealed.]
6-61-1102. [Repealed.]
6-61-1103. [Repealed.]
6-61-1104. [Repealed.]

SECTION.

6-61-1105. Model programs.
6-61-1106. Employment models.
6-61-1107. [Repealed.]
6-61-1108. Sports programs.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-9 may not apply to this subchapter which was enacted subsequently.

Effective Dates. Acts 1997, No. 740, § 15: July 1, 1997. Emergency clause provided: “It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Ar-

kansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irrep-

arable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.”

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of

2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

6-61-1101. [Repealed.]

Publisher’s Notes. This section, concerning Westark Community College’s special status, was repealed by Acts 2003,

No. 1473, § 8. The section was derived from Acts 1997, No. 971, § 1.

6-61-1102. [Repealed.]

Publisher’s Notes. This section, concerning Westark Community College’s “unique” designation, was repealed by

Acts 2003, No. 1473, § 9. The section was derived from Acts 1997, No. 971, § 2.

6-61-1103. [Repealed.]

Publisher’s Notes. This section, concerning the Westark Community College’s restricted “unique” status, was repealed

by Acts 2003, No. 1473, § 10. The section was derived from Acts 1997, No. 740, § 6.

6-61-1104. [Repealed.]

Publisher’s Notes. This section, concerning Westark Community College’s baccalaureate degree programs, was repealed by Acts 2003, No. 1473, § 11. The

section was derived from Acts 1997, No. 740, § 7; 1997, No. 971, § 3; 1999, No. 459, § 7.

6-61-1105. Model programs.

- (a) The University of Arkansas at Fort Smith shall seek a systemic change in the current higher education model by realigning its programs to a model that meets the needs of an information-driven and technology-driven era.
- (b)(1) Each educational program offered by the University of Arkansas at Fort Smith, whether certificate, associate, or bachelor’s degree, will have clearly defined expectations of learners in terms of knowledge, skills, competencies, and capacities for further learning.
- (2) Certification of mastery, competency, and demonstrated capacities for individual graduates to customer standards will be required, as

opposed to outcomes measured solely by the number of courses taken, seat time, and grade point average.

(3) Students will be actively involved in the learning process, with curricula designed around fewer lectures and with more responsibility placed on the learner and groups of learners.

History. Acts 1997, No. 971, § 4.

6-61-1106. Employment models.

In order to accommodate the development and delivery of curricula, the University of Arkansas at Fort Smith is hereby authorized to experiment with and to utilize employment models other than tenure such as the employment of new faculty on a twelve-month, forty-hour-week basis, with rewards for administrative staff and faculty based upon results.

History. Acts 1997, No. 740, § 8; 1997, No. 971, § 5.

A.C.R.C. Notes. Acts 2001, No. 282, § 8, provided: "EMPLOYMENT MODELS. Westark is hereby authorized to experiment with and utilize employment models other than tenure to accommodate the development and delivery of curriculum, such as the employment of new faculty on a twelve-month, forty-hour week basis, with rewards for administrative staff and faculty based upon results. The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Acts 2003, No. 1616, § 6 provided: "EMPLOYMENT MODELS. The University of Arkansas at Fort Smith is hereby authorized to experiment with and utilize employment models other than tenure to accommodate the development and delivery of curriculum, such as the employment of new faculty on a twelve-month, forty-hour week basis, with rewards for administrative staff and faculty based upon results. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

6-61-1107. [Repealed.]

Publisher's Notes. This section, concerning Westark Community College's administration, was repealed by Acts 2003,

No. 1473, § 12. The section was derived from Acts 1997, No. 740, § 9; 1997, No. 971, § 6; 1999, No. 459, § 9.

6-61-1108. Sports programs.

(a) The University of Arkansas at Fort Smith's participation in intercollegiate athletic programs shall continue to be limited to basketball, volleyball, and spring sports, except as provided in subsection (b) of this section.

(b) The university may participate in an intercollegiate football program provided that state funds, either directly or indirectly, or funds derived from property taxes or student fees are not expended to support the program.

History. Acts 1997, No. 971, § 7; 2001, No. 1649, § 2.

Amendments. The 2001 amendment

redesignated former section as present (a), added "except... subsection" to the end, and made related changes; and added (b).

SUBCHAPTER 12 — SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM

SECTION.

6-61-1201. Creation — Duties — Funding.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-9 may not apply to this subchapter which was enacted subsequently.

Effective Dates. Acts 1997, No. 845, § 8: July 1, 1997. Emergency clause provided: “It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the

agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.”

6-61-1201. Creation — Duties — Funding.

(a) There is created the Southwest Arkansas Higher Education Consortium, composed of Cossatot Community College of the University of Arkansas, National Park Community College, Henderson State University, Ouachita Technical College, Pulaski Technical College, Rich Mountain Community College, Southern Arkansas University, SAU-Tech, and South Arkansas Community College, to establish and utilize high bandwidth connectivity within the consortium.

(b) The consortium will provide a mixture of full-motion interactive video, compressed video, and ISDN video and data to member institutions.

(c) Funding will be allocated through the Henderson State University Fund and distributed by an executive council composed of one (1) representative per institution in the consortium.

History. Acts 1997, No. 845, § 2. not apply to this section which was enacted subsequently.

A.C.R.C. Notes. References to “this chapter” in §§ 6-61-101 to 6-61-1014 may

CHAPTER 62

PROPERTY AND FINANCES OF STATE INSTITUTIONS

SUBCHAPTER.

- 1. GENERAL PROVISIONS.
- 2. EMINENT DOMAIN.
- 3. FACILITIES — CONSTRUCTION OR PURCHASE.
- 4. FACILITIES — USE.
- 5. TRUST CONVEYANCES.
- 6. TRANSFER OR LEASE OF PROPERTY.

SUBCHAPTER.

7. ARKANSAS COLLEGE SAVINGS BOND ACT.
8. ATHLETIC PROGRAMS.
9. ARKANSAS TUITION TRUST AUTHORITY. [REPEALED.]
10. WORKERS' COMPENSATION INSURANCE.

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & Univ., § 35 et seq.

C.J.S. 14A C.J.S., Colleges & Univ., § 10 et seq.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-62-101. Sale of water.
- 6-62-102. Military training property and equipment.
- 6-62-103. Endowment of chairs — Attraction of exceptionally qualified academic and nonacademic personnel.
- 6-62-104. Transfer of appropriation.

SECTION.

- 6-62-105. Private borrowing by institutions of higher education.
- 6-62-106. Uniform reporting of athletic expenditures.
- 6-62-107. Reduction of state funds expended on remediation.
- 6-62-108. Housing allowances.

Effective Dates. Acts 1955, No. 176, § 3: Mar. 8, 1955. Emergency clause provided: "It is hereby determined by the General Assembly that the educational institutions of this State that offer military training are in need of immediate passage of law authorizing such agencies to enter into agreements with the Federal Government relative to the use of property and equipment in such military training courses, and that the passage of this act is necessary to grant such authority. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 335, § 4: Mar. 12, 1985. Emergency clause provided: "It is hereby found and determined by the Seventy-Fifth General Assembly that private contributors should be encouraged to support Arkansas higher education institutions; that such contributions will enhance the quality of academic and research efforts of said institutions; and that allowances are necessary to attract nationally recognized academic personnel. Therefore, an emer-

gency is hereby declared to exist, and this Act being immediately necessary for the preservation of public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1987, No. 367, § 4: Mar. 23, 1987. Emergency clause provided: "It is hereby found and determined by the General Assembly that the inability of the State Institutions of Higher Education to borrow from the State Budget Revolving Fund has created serious financial difficulties for many institutions and that alternative means must be found to maintain Arkansas' Institutions of Higher Education in sound fiscal condition. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim

Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1999, No. 998, § 5: Mar. 31, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second

General Assembly that private contributors should be encouraged to support Arkansas higher education institutions; that such contributions will enhance the quality of academic and research efforts of said institutions and further will enhance the ability of said institutions to attract and retain exceptionally qualified nonacademic personnel; and that competitive salaries are necessary to attract nationally recognized academic and nonacademic personnel. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-62-101. Sale of water.

(a)(1) State-supported institutions of higher education are authorized to perform contracts with private persons, made and entered into prior to June 10, 1965, whereby the institutions have agreed to furnish surplus water to those persons from supplies owned by the institutions.

(2) However, state-supported institutions of higher education shall not make or enter into any new contract or renewal of an existing contract to furnish water to any private person from supplies owned by the institutions.

(3) Any such institution of higher education may cease to furnish water to any private person being furnished surplus waters if the board of the institution shall determine that the water is needed for the purposes of the institution.

(b) The provisions of this section shall not be applicable to the Agricultural Experiment Station or any other research facilities of the University of Arkansas.

(c) Any contract or renewal of a contract made and entered into in violation of the terms of this section shall be void.

History. Acts 1965, No. 388, §§ 1, 2; A.S.A. 1947, §§ 80-3335, 80-3336.

6-62-102. Military training property and equipment.

(a) The governing board of each state educational institution has authority to:

(1) Enter into contracts for the use of property and equipment for military training purposes; and

(2) Enter into any mutually agreeable contract incidental thereto as may be required by federal law or regulations of the Secretary of the Army, Navy, or Air Force, or other federal officer or agency, for the care and safekeeping of such property and equipment, or for similar purposes; and

(3) Make reimbursement for such property and equipment.

(b) The cost of any bonds or security and reimbursements shall be paid from funds available for the operation of the institution or school district. This includes, but is not limited to, the authority to obligate any funds available, whether by appropriation or otherwise, for the purpose of executing bonds to secure the safekeeping and return of United States Government property issued in connection with military training purposes.

History. Acts 1955, No. 176, § 1; A.S.A. 1947, § 80-3317.

Publisher's Notes. Acts 1955, No. 176, § 1, is also codified as § 6-21-103.

6-62-103. Endowment of chairs — Attraction of exceptionally qualified academic and nonacademic personnel.

(a)(1) Private contributors to state-supported colleges and universities frequently designate their gifts for the purpose of endowing academic chairs or attracting personnel with exceptional qualifications.

(2) In order to appropriately compensate these individuals from private funds contributed for such purposes, special provisions for payments exceeding maximum authorized compensation levels are necessary.

(b) The board of trustees of any state-supported college or university in Arkansas may authorize salary or salary-related payments to individuals from funds contributed for such purposes which exceed the maximum for positions established by state law, subject to the limitations established in this section.

(c) In order for the board of trustees of any state-supported college or university to authorize additional payments as established in subsection (b) of this section, the individuals to receive the payments must be:

(1) Selected and recommended by the appropriate department;

(2) Approved by appropriate administrative personnel, the president, and the board of trustees; and

(3)(A) The holders of academic/research chairs endowed wholly or in part by contributions from sources other than public funds;

(B) Exceptionally qualified academic or nonacademic personnel; or

(C) Visiting academic/research faculty members for a specified period whose service is endowed or supported wholly or in part by contributions from sources other than public funds.

(d) All funds paid to any individual above the maximum established by law as authorized in this section must come from private contributions or from the proceeds from private contributions designated for such purposes.

(e)(1) The provisions of this section are supplemental to the fiduciary authority and powers of boards of trustees of public colleges and universities to expend funds as public trustees for the benefit of the institution to attract and retain exceptionally qualified academic and nonacademic employees.

(2) Nothing in this section shall prohibit or be construed to prohibit boards of trustees of public colleges and universities from authorizing salary or salary-related payments to exceptionally qualified academic or nonacademic personnel in excess of the maximum established by law or from approving or ratifying such payments previously made provided that the amount of any such payment above the maximum established by law and only such amount must come from private contributions or from the proceeds from private contributions designated for such purposes.

History. Acts 1985, No. 335, §§ 1-3; A.S.A. 1947, §§ 80-3394, 80-3394.1, 80-3394.2; Acts 1991, No. 822, § 1; 1999, No. 998, § 1.

Amendments. The 1999 amendment deleted “and recommended by” following

“personnel” in (c)(2); in (c)(3), deleted “or” following “funds,” inserted “academic or,” and deleted “paid wholly from contributions from sources other than public funds” following “personnel”; rewrote (e); and made stylistic changes.

6-62-104. Transfer of appropriation.

Unless otherwise provided by law, each state-supported institution of higher education may transfer appropriations between the various line items within each appropriation contained in its biennial appropriation act. However, such transfers shall be made only after the approval of the Department of Higher Education and the Chief Fiscal Officer of the State, and after seeking the advice of the Legislative Council.

History. Acts 1983, No. 147, § 14, as added by Acts 1985, No. 845, § 2; A.S.A. 1947, § 80-5614.

Cross References. Consolidation of administrative functions, § 6-65-225.

6-62-105. Private borrowing by institutions of higher education.

(a) Upon approval of the board of trustees of the applicable institution, the Department of Higher Education, and the Chief Fiscal Officer of the State, the various state institutions of higher education in this state may borrow from private financial institutions funds determined by the board of trustees to be necessary to continue the operation of the applicable state institutions of higher education during the periods of time when the Revolving Loan Fund is insufficient, as certified by the Chief Fiscal Officer of the State, for state institutions of higher education to participate in the fund. No state institutions of higher

education may have outstanding loans in the aggregate under this section in excess of eighty-five percent (85%) of the total of the actual May and June general revenues distributed during the immediately preceding fiscal year to the state institution.

(b) The principal amount of the loans described in subsection (a) of this section shall be repaid from general revenues distributed to the state institution of higher education during the months of May and June of the fiscal year in which the loans were obtained. All interest and other charges shall be paid from cash funds of the state institution. The Chief Fiscal Officer of the State shall promulgate rules and regulations necessary for the implementation of this section.

History. Acts 1987, No. 367, §§ 1, 2.

Cross References. Revolving Loan Fund, § 19-5-907.

6-62-106. Uniform reporting of athletic expenditures.

(a) The Arkansas Higher Education Coordinating Board, with the assistance of the Division of Legislative Audit, is authorized and directed to establish uniform reporting and auditing to report athletic costs and revenues of each state-supported institution of higher education.

(b) Such reports shall be subject to annual review by the Legislative Joint Auditing Committee and shall be made public by the board.

(c) The uniform report shall include the following definitions:

(1) "Athletic expenditures" means all direct and indirect expenses, prorated if necessary, including salaries, all fringe benefits such as medical and dental insurance, workers' compensation, pension plans, tuition waivers, and any other costs associated with recruitment and retention of staff, travel, equipment, scholarships, meals, housing/dormitory, supplies, property and medical insurance, medical expenses, utilities, and maintenance of facilities related to all intercollegiate teams and spirit groups excluding bands; and

(2) "Income" means all direct income from gate receipts, revenues from related concession sales, advertising and media revenue, gifts from private donors, deposited and expensed by the athletic account, and any fees in addition to regular tuition and fees paid by students as approved for support of the intercollegiate athletic program pursuant to procedures prescribed by the board, and all transfers from other funds or accounts.

(d) The board shall report to the Legislative Council or the Joint Budget Committee the failure of an institution to report athletic costs and revenue utilizing the uniform report required by this section.

(e) All state-supported institutions of higher education shall report athletic costs and revenues utilizing the uniform report developed by the board by October 1 of each year.

(f) The board shall compile the reports and make them available to the Legislative Joint Auditing Committee and the public by November 1 of each year.

History. Acts 1989, No. 245, §§ 1, 2.
A.C.R.C. Notes. Acts 1989, No. 245, § 3, provided: "The State Board of Higher Education and State Department of Higher Education are directed to consider

the issue of athletic expenditures and appropriate levels of state support of athletics and report their findings to the General Assembly prior to the 78th Session commencing January 1991."

6-62-107. Reduction of state funds expended on remediation.

(a) As a condition for receiving state funds, all public two-year and four-year institutions of higher education shall report the following information by October 1 of each year to the Department of Higher Education in a format developed by the department in consultation with the institutions:

(1) The total direct and indirect costs of remediation for the previous academic year; and

(2) All sources of revenue, by amount and source, used to fund direct and indirect costs of all remedial courses and programs.

(b) The department shall develop a system to calculate the total amount of state funds spent on remediation of first-time entering freshmen students.

(c) The amount spent on remediation at public four-year educational institutions shall not exceed the amount spent as of the 1996-1997 school year.

History. Acts 1993, No. 1141, §§ 1-4; 1997, No. 112, § 20; 1999, No. 508, § 5.
Amendments. The 1999 amendment redesignated former (a)(1) as present (a); redesignated former (a)(1)(A) and

(a)(1)(B) as present (a)(1) and (a)(2); deleted former (a)(2); rewrote (b) and present (c); deleted former (c) and (d); and made stylistic changes.

6-62-108. Housing allowances.

The board of trustees of each state-funded four-year university may approve a housing allowance not to exceed eight hundred dollars (\$800) per month for the presidents and chancellors of the universities. The allowance shall be in lieu of any state-owned housing provided for the presidents and chancellors.

History. Acts 1999, No. 240, § 1.
Cross References. Housing allowance, § 6-64-110.

SUBCHAPTER 2 — EMINENT DOMAIN

SECTION.	Condemnation proceedings.
6-62-201. Grant of power to certain colleges and universities —	

Cross References. Relocation assistance, § 22-9-701 et seq.
Effective Dates. Acts 1961, No. 167,

§ 5: Mar. 6, 1961. Emergency clause provided: "Whereas the enrollment of students at the University of Arkansas, and

other state colleges named herein, has increased within recent months and will probably continue to increase; and whereas the service obligations of the University and such state colleges are in a period of growth and expansion; and whereas the present facilities of said University and such state colleges are not now sufficient to accommodate adequately the resident instruction and other service phases of the activities of the University and such state colleges; and whereas it may be that property located conveniently for the University and other state colleges' public uses may not be available except through condemnation; now, therefore, it is hereby determined that an emergency exists and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 539, § 5: Mar. 17, 1997. Emergency clause provided: "It is found

and determined by the General Assembly of the State of Arkansas that the present laws relating to the power of public institutions of higher education to acquire property by eminent domain should be clarified and lack of immediate clarification could result in public institutions of higher education being unable to acquire property necessary for the use and benefit of such institutions. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-62-201. Grant of power to certain colleges and universities — Condemnation proceedings.

(a)(1) The right and power of eminent domain is granted to the Board of Trustees of the University of Arkansas and to the respective boards of trustees of Arkansas Tech University and University of Central Arkansas, hereinafter referred to as "state colleges," to condemn property whenever and wherever the acquisition of property is necessary for the use of the institutions.

(2) However, before this right and power are utilized in any individual case, the appropriate board of trustees shall exercise every reasonable effort to obtain the property in question at a reasonable price by negotiation, and the trial court shall so find.

(3) The power of eminent domain granted to the Board of Trustees of the University of Arkansas shall not be applicable to the acquisition of lands for Agricultural Experiment Stations of the University of Arkansas except in the county in which the main campus of the University of Arkansas is located.

(b) All suits for the condemnation of property under the provisions of this section shall be brought in the name of the Board of Trustees of the University of Arkansas or in the name of the respective boards of trustees of the other state colleges designated in subdivision (a)(1) of this section.

(c)(1) Before any suit may be instituted, it shall be necessary for the board of trustees to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the public institution.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, the legal description of the lands, and the names of the owners, if known.

(d)(1) The procedure to be followed except as otherwise provided in this section, for the purposes of this section is that prescribed in §§ 18-15-301 — 18-15-307, inclusive, for the exercise of eminent domain by municipal corporations and counties.

(2) It shall be no objection to the exercise of the power of eminent domain that the property to be condemned is a cemetery provided that the purpose for which the cemetery is being taken is for buildings, facilities, grounds, or other purposes necessary for the use and benefit of the public institution.

(e)(1) The board of trustees may request the prosecuting attorney of the district in which the lands sought to be condemned are located to initiate or assist in the legal proceedings instituted under this section.

(2) If so requested, it shall then be the duty of the prosecuting attorney to comply with the request of the board of trustees.

(3) It shall be the duty of the Attorney General, if requested, to represent the board of trustees on appeals taken to the Supreme Court from any such action instituted.

History. Acts 1961, No. 167, §§ 1-4; A.S.A. 1947, §§ 80-3318 — 80-3321; Acts 1997, No. 539, § 1.

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1961, No. 167, § 1, by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts

1971, No. 9, § 3, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello, and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

CASE NOTES

Reasonable Effort.

Evidence sufficient to show trustees made reasonable effort to obtain certain

real estate by negotiation. *Kerr v. Raney*, 305 F. Supp. 1152 (W.D. Ark. 1969).

SUBCHAPTER 3 — FACILITIES — CONSTRUCTION OR PURCHASE

SECTION.

- 6-62-301. Construction of subchapter.
- 6-62-302. Building construction, purchase, etc., authorized.
- 6-62-303. Financing authority.
- 6-62-304. Temporary financing authorized.
- 6-62-305. Bonds or notes — Authorization to issue — Pledge of revenues, funds, etc.
- 6-62-306. Bonds or notes — Issuance on advice of Arkansas Higher Education Coordinating Board.
- 6-62-307. Bonds or notes — Execution.

SECTION.

- 6-62-308. Bonds or notes — Terms and conditions.
- 6-62-309. Bonds or notes — Liability.
- 6-62-310. Bonds or notes — Related agreements authorized.
- 6-62-311. Rents, tolls, fees, etc. — Rules and regulations authorized.
- 6-62-312. Valid outstanding obligations — Refinancing or refunding — Cancellation.
- 6-62-313. State agency for participation in federal grant programs.

Cross References. Contractors' bonds, § 18-44-501 et seq.; § 22-9-401 et seq.

Preambles. Acts 1964 (Ex. Sess.), No. 16 contained a preamble which read: "Whereas, the Governor of the State of Arkansas pursuant to the applicable provision of the Higher Education Facilities Act of 1963 of the Congress of the United States of America has heretofore designated the Commission on Coordination of Higher Educational Finance as the State Agency of the State of Arkansas for the purpose of participating in the grant program under Title I of said Federal Act; and

"Whereas, the purpose of this Act is to confirm said designation and to confer additional authority and powers upon the Commission on Coordination of Higher Educational Finance as may be necessary or desirable in connection therewith;

"Now, therefore...."

Effective Dates. Acts 1947, No. 62, § 9: approved Feb. 14, 1947. Emergency clause provided: "It is found and declared that there is an acute shortage of housing and other facilities in the schools referred to in section 1 of this act by reason of the great increase in their student bodies; that only the provisions of this act will expedite the construction of the buildings referred to herein and relieve the shortage; that for these reasons it is necessary for the preservation of the public peace, health and safety that this act shall become effective without delay. It is, therefore, declared that an emergency exists and that this act shall take effect and be in full force from and after its passage."

Acts 1949, No. 320, § 4: approved Mar. 19, 1949. Emergency clause provided: "It has been found and it is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities in the schools referred to in Section 1 of this Act by reason of the great increase in their student bodies; that only by this Act can the said shortage of housing and other facilities in the schools be promptly remedied and for that reason it should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1951, No. 313, § 5: approved Mar.

19, 1951. Emergency clause provided: "It has been found and it is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities in the schools referred to in Section 1 of this Act by reason of the great increase in their student bodies; that only by this Act can the said shortage of housing and other facilities in the schools be promptly remedied and for that reason this Act should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1957, No. 10, § 3: approved Feb. 1, 1957. Emergency clause provided: "It is hereby determined by the General Assembly that there is an acute shortage of housing and other facilities at the state educational institutions of higher learning by reason of increasing enrollments; that the General Assembly has previously provided by law for the issuance of revenue obligations in the best judgment of the respective Boards of Trustees of these institutions but limited the issuance and refunding of such obligations to bear a maximum of four per centum (4%) interest; that the present condition of available credit is such that said authority is rendered useless since credit is not available at such a low rate of interest, whereupon it is determined to raise such maximum rate to five per centum (5%); that only by this Act can the shortage of housing and other facilities be remedied promptly; for that reason this Act should take effect without delay; and for said reason it is hereby declared necessary for the preservation of the public peace, health, and safety that this Act should become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passage."

Acts 1959, No. 242, § 3: approved Mar. 25, 1959. Emergency clause provided: "It has been found and it is hereby declared that there is an acute shortage of housing and other facilities in the schools and colleges covered by this Act by reason of the great increase in their student bodies; that this Act is necessary to remedy said shortage of housing and other facilities;

and for that reason it is hereby declared necessary for the preservation of the public peace, health and safety that this Act shall become effective without delay. An emergency, therefore, is declared to exist and this Act shall take effect and be in force from and after its passing."

Acts 1963, No. 59, § 2: Feb. 15, 1963. Emergency clause provided: "It has been found and it is hereby declared by the General Assembly that there is an acute shortage of parking facilities at the State institutions for higher education by reason of the great increase in the student bodies and the great increase in the use of automobiles by the students and faculty of said institutions; that said shortage of parking facilities adversely affects the proper operation of said institutions and should be remedied at the earliest possible time; and that only by the immediate operation of this act may such condition be alleviated. Therefore, an emergency is hereby declared to exist, and this act being necessary for the preservation of the public peace, health and safety shall take effect and be in full force from and after its passage and approval."

Acts 1964 (Ex. Sess.), No. 16, § 5: Mar. 27, 1965. Emergency clause provided: "That it is hereby found and declared that academic facilities must be made available at institutions of higher education in this State in order to accommodate to the fullest extent possible, the youth who aspire to a higher education and that the things authorized and directed by this Act are necessary to the achievement of this public purpose. It is, therefore, declared that an emergency exists, and this Act, being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval."

Acts 1968 (1st Ex. Sess.), No. 8, § 6: Feb. 15, 1968. Emergency clause provided: "It is hereby found and determined by the General Assembly that money interest rates have increased significantly in recent years, that the maximum interest rate of five per cent (5%) prescribed by law on bonds issued by educational institutions is not adequate to permit such bonds to compete favorably in the bond market, and that it is immediately necessary to increase said maximum interest rate to 6% in order to correct this undesirable situation and to permit the accom-

plishment of the purpose for which such bonds are authorized by law. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

Acts 1969, No. 183, § 4: Mar. 7, 1969. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the state supported colleges and universities of this State are, at the present time, not authorized to participate in certain programs of assistance to education made available by the government of the United States; that the availability of this assistance is essential to the continued development of higher education in this State; and that only by the immediate effectiveness of this act can this purpose be accomplished. Therefore, an emergency is declared to exist and this act, being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval."

Acts 1970 (Ex. Sess.), No. 30, § 5: Mar. 13, 1970. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the financing of the public improvements to which this Act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment of these public improvements is essential to the continued development of this State and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1975, No. 225, § 26: became law without Governor's signature, Feb. 19, 1975. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the state of Arkansas that the financing of the public improvements to which this Act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment of these public improvements is essential to the continued development of this State

and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this Act. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

Acts 1981, No. 425, § 54: Mar. 11, 1981. Emergency clause provided: "It has been found and is hereby declared by the General Assembly of the State of Arkansas that the financing of the public improve-

ments to which this act pertains is not feasible under existing maximum interest rate limitations, that the accomplishment of these public improvements is essential to the continued development of this state and the continued improvement of the economic conditions of her people, and that these public improvements can be accomplished only by the immediate effect of this act. Therefore, an emergency is declared to exist and this act, being necessary for the preservation of the public peace, health and safety, shall be in effect from and after its passage and approval."

6-62-301. Construction of subchapter.

This subchapter shall be liberally construed to effectuate the purposes thereof.

History. Acts 1947, No. 62, § 6; A.S.A. 1947, § 80-3316.

6-62-302. Building construction, purchase, etc., authorized.

(a) Subject to and in accordance with the terms of this subchapter, the boards of trustees of the University of Arkansas, Arkansas State University, University of Central Arkansas, Henderson State University, Arkansas Tech University, and Southern Arkansas University, respectively, are authorized and empowered as public agencies of the State of Arkansas to:

(1) Construct buildings, structures, parking facilities, or other improvements which the board deems proper or suitable for the school and to purchase sites therefor, if necessary;

(2) Purchase for such purpose buildings already constructed and the tracts of land on which they are situated;

(3) Reconstruct, enlarge or repair, and equip any buildings or structures of the university, including, but not limited to, buildings or structures constructed or purchased under authority of this subchapter; and

(4) Purchase for such purposes and pay the expense of tearing down, removing to the school, reconstructing, and equipping houses, buildings, or structures.

(b) No board of trustees of such public institutions of higher education shall be required to obtain any prior review, consultation, approval, assistance, or advice from Arkansas Building Authority for projects undertaken based on the foregoing powers and authority. Provided, however, nothing in this subsection shall prevent any board of trustees of such public institutions of higher education from entering into an agreement with the authority to provide review, consultation, approval, assistance, or advice for such projects. However, public institutions of

higher education exempt from project review, consultation, approval, assistance, or advice of the authority shall remain subject to other laws governing public works, including, without limitation, § 22-9-101 et seq. and § 19-4-1401 et seq.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1963, No. 59, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311; Acts 2001, No. 961, § 1.

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1947, No. 62, § 1, by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello, and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7 purported to amend Acts 1947, No. 62, § 1, by deleting all references to "Arkansas Agricultural, Mechanical, and Normal College" or to that institution under the names by which

it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7, did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff, and it is operated by the Board of Trustees of the University of Arkansas. See §§ 6-64-303, 6-64-304.

Amendments. The 2001 amendment redesignated the former introductory language as present (a) and substituted "public agencies" for "a public agency"; substituted "university" for "college" in (a)(3); and added (b).

CASE NOTES

Medical School Building.

The Board of Trustees of the University of Arkansas had authority to build a medical school building. *Lindsay v. White*, 212

Ark. 541, 206 S.W.2d 762 (1947).

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-303. Financing authority.

The board is authorized and empowered to enter into the necessary contracts for the borrowing of all or any part of the funds that the board may determine will be required in connection with the financing of the projects.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-304. Temporary financing authorized.

The board is authorized to utilize any funds available to temporarily finance all or part of the projects and to make reimbursement of the

funds from the proceeds of the sale of any notes or bonds issued to permanently finance the projects.

History. Acts 1947, No. 62, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-305. Bonds or notes — Authorization to issue — Pledge of revenues, funds, etc.

(a) In evidence of any loan of funds, the board of trustees is authorized and empowered to issue its negotiable interest-bearing notes or bonds with a specific pledge, for the payment of the principal and interest thereof, and the payment of agents' fees only, all or any part of the following:

(1) The gross tolls, fees, rents, and other charges to be derived as income from the project;

(2) Any surplus not pledged of the gross tolls, fees, rents, and other charges to be derived from other projects financed in whole or in part by bonds or notes issued by the board;

(3) Tuition and fees collected from its students;

(4) The gate receipts of athletic contests participated in by its teams; and

(5) Any funds received from the United States, or any department or agency thereof, pursuant to any act of Congress, providing for grants or payments to educational institutions in connection with, or in anywise pertaining to, the financing of the accomplishing of the authorities and powers set forth in § 6-62-302.

(b) In regard to the funds referred to in subdivision (a)(5) of this section, the board is authorized to take such action, comply with such terms and conditions, and execute such agreements as may be necessary to apply for, receive, pledge, or use such funds for the above specified or any other lawful purpose.

(c) One (1) series of bonds may be issued for more than one (1) project and the revenues therefrom pledged for the payment of the bonds.

History. Acts 1947, No. 62, § 1; 1949, 183, § 1; A.S.A. 1947, § 80-3311; Acts No. 320, § 1; 1951, No. 313, § 1; 1969, No. 1991, No. 45, § 1.

CASE NOTES

Constitutionality.

Issuance of revenue bonds under this section does not violate Ark. Const. Amend. 20. *Jacobs v. Sharp*, 211 Ark. 865,

202 S.W.2d 964 (1947).

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-306. Bonds or notes — Issuance on advice of Arkansas Higher Education Coordinating Board.

(a) The boards of trustees of the University of Arkansas, University of Central Arkansas, Henderson State University, Arkansas State University, Arkansas Tech University, and Southern Arkansas University, hereinafter referred to as the “board of the institution involved”, shall not issue any notes or bonds under the provisions of this subchapter for any of the purposes authorized by this subchapter, unless prior to the issuance of such notes or bonds, the board of the institution involved shall have obtained the advice of the Arkansas Higher Education Coordinating Board as to the economic feasibility of the particular project to be financed, in whole or in part, by those notes or bonds.

(b) The board of the institution involved shall submit to the Arkansas Higher Education Coordinating Board information pertaining to the proposed project concerning existing and proposed buildings, improvements, equipment, and facilities of the institution involved; finances, revenues, appropriations, and cash funds of the institution involved; and enrollment, housing, and other information deemed pertinent to and requested by the Arkansas Higher Education Coordinating Board to enable the board to determine the feasibility of the project.

(c) The Arkansas Higher Education Coordinating Board shall notify the board of the institution involved, within thirty (30) days from the date the information is submitted to the board, of the board’s advice with respect to the economic feasibility of the particular project.

(d) The advice of the Arkansas Higher Education Coordinating Board under this section shall not be binding on the board of the institution involved.

(e)(1) This section shall not be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of the institution involved under existing constitutional and statutory provisions.

(2) Furthermore, the authority conferred upon the Arkansas Higher Education Coordinating Board by this section shall not extend to the feasibility of the notes or bonds proposed to be issued by the board of the institution involved or to any of the terms, conditions, and provisions thereof, and this section shall not be construed to impair in any way the validity of any notes or bonds issued by the board of the institutions involved under this subchapter or impair or affect in any way the obligations of the board of the institution involved or the rights of any holder or registered owner of the notes or bonds.

History. Acts 1963, No. 242, §§ 1-4; A.S.A. 1947, §§ 80-3328 — 80-3331.

Publisher’s Notes. Acts 1971, No. 9, § 5 purported to amend Acts 1963, No. 242, § 1 by deleting the reference to “Arkansas Agricultural and Mechanical Col-

lege” which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Ark. Const., Art. 5, § 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello

and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7 purported to amend Acts 1963, No. 242, § 1 by deleting all references to "Arkansas Agricultural, Mechanical, and Normal College" or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical,

and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7 did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff and it is operated by the Board of Trustees of the University of Arkansas. See §§ 6-64-303, 6-64-304.

6-62-307. Bonds or notes — Execution.

(a) The notes or bonds shall be executed by the president or chair and secretary of the board.

(b) The coupon attached to the bonds may be executed by the facsimile signature of the president or chair.

(c) In case any of the officers whose signatures appear on the bonds or coupons shall cease to be officers before delivery, the signatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until the delivery.

History. Acts 1947, No. 62, § 2; 1957, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (Ex. Sess.), No. 30, § 1; 1975, No. 225, § 19; 1981, No. 425, § 19; A.S.A. 1947, § 80-3312.

6-62-308. Bonds or notes — Terms and conditions.

(a) The notes or bonds shall be payable at such time or times and at such place or places, shall be in such form and denominations, may be subject to such terms of redemption, with or without a premium, shall bear such rate or rates of interest, shall be payable annually or semiannually, and shall be sold for such price and in such manner, as the board of trustees by resolution shall determine.

(b) In the resolution, the board of trustees may provide for the initial issuance of one (1) or more bonds aggregating the principal amount of the entire issue and may, in the resolution, make such provisions for installment payments of the principal amount of the bonds as it may consider desirable and may provide for the making of the bonds payable to bearer or otherwise, registrable as to principal or as to both principal and interest and where interest accruing thereon is not represented by interest coupons for the endorsement of payment of interest on the bonds.

(c) The board of trustees may make provision in the resolution for the manner and circumstances in which and under which the bonds may, in the future at the request of the holders thereof, be converted into bonds of smaller denomination, which bonds of smaller denomination may in turn be either coupon bonds or bonds registrable as to principal or registrable as to principal and interest.

History. Acts 1947, No. 62, § 2; 1957, 30, § 1; 1975, No. 225, § 19; 1981, No. 10, § 1; 1959, No. 242, § 1; 1968 (1st Ex. Sess.), No. 8, § 1; 1970 (Ex. Sess.), No. 425, § 19; A.S.A. 1947, § 80-3312.

6-62-309. Bonds or notes — Liability.

(a) The bonds or notes shall be general obligations only of the board of trustees, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(b) No member of any board shall be personally liable for the notes or bonds, or for any damages sustained by any one in connection with contracts for loans or the construction of the buildings, unless it shall be made to appear that he or she has acted with a corrupt intent.

History. Acts 1947, No. 62, § 1; 1949, No. 320, § 1; 1951, No. 313, § 1; 1969, No. 183, § 1; A.S.A. 1947, § 80-3311. 320, § 2 validated former obligations, but provided that the obligations would not be considered a debt of the state.

Publisher's Notes. Acts 1949, No.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-62-310. Bonds or notes — Related agreements authorized.

(a) For the purpose of obtaining any loan or carrying out any condition imposed by the original purchaser of the notes or bonds in connection with any loan, the board of trustees may execute such documents and enter into such agreements as it may deem necessary or proper in connection therewith, including, but without limiting the generality of the foregoing, any agreement relating to:

(1) The maintenance of a maximum percentage of occupancy of buildings;

(2) The imposition of minimum rates for occupancy or use adequate to provide for the payment of the principal of and interest on any notes or bonds;

(3)(A) The priority of the lien of notes or bonds on the gross tolls, fees, rents, other charges, surplus not pledged of gross tolls, fees, rents, and other charges, activity fees and gate receipts of athletic contests, and other revenues of whatever nature authorized to be pledged to the payment of the principal of and interest on the notes or bonds.

(B) It is the intention of this subdivision that the board of trustees, in any resolution authorizing the issuance of a particular series of notes or bonds, may provide that subsequent series of notes or bonds payable from the tolls, fees, rents, activity fees, and gate receipts pledged to the particular issue authorized by the resolution may not be issued, that subsequent series of notes or bonds shall be subordinate as to lien, or that subsequent series of notes or bonds shall enjoy parity of lien upon such conditions and restrictions as may be inserted by the board of trustees in the authorizing resolution; and

(4) The deposits in banks and the manner of withdrawal of revenues for payment of the principal of and interest on the notes or bonds and the deposits in banks and the manner of withdrawal of the proceeds of the sale of notes or bonds.

(b)(1) Any agreement entered into by the board of trustees shall be binding in all respects upon the board of trustees and their successors from time to time in accordance with the terms and all of the provisions of the agreement.

(2) The terms and provisions shall be enforceable by appropriate proceedings at law or in equity, or otherwise, provided no mortgage or other lien shall be executed on any of the lands or buildings belonging to the State of Arkansas.

History. Acts 1947, No. 62, § 2; 1957, 30, § 1; 1975, No. 225, § 19; 1981, No. No. 10, § 1; 1959, No. 242, § 1; 1968 (1st 425, § 19; A.S.A. 1947, § 80-3312. Ex. Sess.), No. 8, § 1; 1970 (Ex. Sess.), No.

6-62-311. Rents, tolls, fees, etc. — Rules and regulations authorized.

The board of trustees is further authorized and empowered to fix the rents, tolls, fees, other charges, activity fees, and gate receipts of athletic contests and to make and to enforce the rules and regulations with reference to or in connection with any building or structure authorized to be constructed, reconstructed, enlarged, repaired, or equipped and with reference to the use thereof as the board of trustees may deem desirable for the welfare of the institution or its student body.

History. Acts 1947, No. 62, § 2; 1957, 30, § 1; 1975, No. 225, § 19; 1981, No. No. 10, § 1; 1959, No. 242, § 1; 1968 (1st 425, § 19; A.S.A. 1947, § 80-3312. Ex. Sess.), No. 8, § 1; 1970 (Ex. Sess.), No.

6-62-312. Valid outstanding obligations — Refinancing or re-funding — Cancellation.

(a) Any board of trustees has the power and is authorized to refinance, in whole or in part, from time to time, its valid outstanding obligations issued under Acts 1933, No. 47 [repealed], or Acts 1939, No. 14 [repealed], or issued under this subchapter and any amendments hereto.

(b)(1) To that end, the board may issue negotiable refunding notes or refunding bonds.

(2) This power may be exercised successively, and any obligations which have once been refunded may thereafter from time to time be refunded.

(3) They shall be issued upon the same terms and conditions as provided in this subchapter for original obligations.

(4) They shall be secured in the same manner and to the same extent as provided in this subchapter for original obligations.

(5) They shall be obligations only of that board of trustees, and in no event shall they be considered a debt for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(6) They may be exchanged for the outstanding obligations to be refunded, or they may be sold for cash and the proceeds used to pay them, or part may be exchanged and part may be sold.

(c) The outstanding obligations refunded shall be cancelled and destroyed contemporaneously with the delivery of the refunding obligations, except as follows:

(1) If required by any agreement with the parties to whom the refunding obligations are to be delivered, the obligations refunded may be kept intact uncanceled until the refunding obligations and interest have been paid in full, whereupon they shall forthwith be cancelled and destroyed; each obligation so kept intact is to be stamped with a legend to the effect that the obligation has been refunded pursuant to this subchapter.

(2) If the obligations to be refunded are redeemable before maturity and have been duly called for payment in accordance with their terms, the refunding obligations may be executed and deposited with an escrow agent designated by the board of trustees, which escrow agent shall be a bank or trust company whose trust funds are secured in the manner provided by the national or state banking laws and regulations thereunder, under an agreement with the escrow agent to deliver them to the purchaser on payment of the purchase price in full and in cash at least five (5) days before the redemption date of the obligations called and to remit promptly the proceeds to the paying agent of the outstanding obligations for payment thereof, provided that the board shall deposit with the escrow agent for delivery also to the paying agent any additional funds required to make payment in full of the principal of and interest on and paying agent's fees of the bonds so called for redemption. When the outstanding bonds have been paid, they shall be cancelled and destroyed.

History. Acts 1947, No. 62, §§ 3, 4; 1951, No. 313, § 2; 1957, No. 10, § 2; 1968 (1st Ex. Sess.), No. 8, § 2; 1970 (Ex. Sess.), No. 30, § 2; 1975, No. 225, § 19; 1981, No. 425, § 19; A.S.A. 1947, §§ 80-3313, 80-3314.

Publisher's Notes. For acts validating previously issued obligations, see Acts 1947, No. 62, § 5; Acts 1949, No. 320, § 2; Acts 1951, No. 313, § 3.

6-62-313. State agency for participation in federal grant programs.

(a) The Arkansas Higher Education Coordinating Board is designated as the state agency of the State of Arkansas for the purpose of participating in the grant program under 20 U.S.C. § 1132a et seq., as enacted and now existing or as subsequently amended, supplemented, or implemented, which is herein referred to as the "federal act".

(b) In addition to its presently existing authority, powers, and duties, the board is authorized, empowered, and directed to prepare and

submit to the commissioner, who is referred to and identified in the federal act, a state plan for participation in the grant program under 20 U.S.C. § 1132a et seq. and, upon the approval of the state plan by the commissioner, to administer the plan and otherwise to do, or cause to be done, all things and acts of every nature whatever necessary or desirable:

(1) In meeting and complying with all requirements of the federal act, regulations under and pursuant to the federal act, and of the departments and agencies of the United States administering the federal act;

(2) In administering the state plan; and

(3) In obtaining and utilizing, or causing to be utilized, all grants, funds, and benefits to which the State of Arkansas is entitled under the federal act.

(c)(1) This section shall be liberally construed so that all institutions of higher education, as referred to and defined in the federal act, receive fully and promptly all benefits conferred and intended by the federal act and this section and that the intended public benefits and purposes be achieved and accomplished. To this end, the enumeration of any object, purpose, power, manner, method, and thing shall not be deemed to exclude like or similar objects, purposes, powers, manners, methods, or things.

(2) This section shall be liberally construed as being supplemental to any existing purposes and powers of the board so as to accomplish in the most expeditious and efficient manner the purposes and intent of the federal act in this state.

History. Acts 1964 (Ex. Sess.), No. 16, §§ 1-3; A.S.A. 1947, §§ 80-3332 — 80-3334.

SUBCHAPTER 4 — FACILITIES — USE

SECTION.

6-62-401. Use by employees to conduct work for private compensation.

6-62-401. Use by employees to conduct work for private compensation.

(a) The boards of trustees of the state institutions of higher learning are authorized to grant permission to employees of those institutions to conduct, on and in campus facilities, certain outside work for private compensation as described below which are to be engaged in only after they have discharged fully their employment responsibilities to those institutions.

(b) However, in each instance where permission is granted, the governing board shall have the nondelegable duty to make express findings of fact that:

(1) The activity in question involves no conflict of interest with the mission and purpose of the institution itself; and

(2) The activity proposed would bring to the campus a significant number of persons who are potentially future students who might tend to enroll on that campus as a result of their exposure to its facilities and its personnel while engaged in this activity; and

(3) The contemplated activity will, as a part thereof, generate funds to be paid to the state institution for housing, meals, and for the use of other institutional resources which will produce significant revenues in support of the auxiliary functions of the particular campus serving its enrolled students.

(c)(1) Each permission granted by a board of trustees pursuant to the findings of fact stated in subsection (b) of this section shall, with those findings of fact, be reduced to writing by the board of trustees and shall include a statement of charges to be paid to the state institution by the employee as the direct and indirect costs associated with operating and maintaining the facilities which will be temporarily devoted to the particular activity conducted by that employee.

(2) The charges shall be paid promptly, by the employee or by the participants at the direction of the employee, to the state institution.

(d) In conducting an activity permitted under this section, the employee shall make known in all advertising and other publicity involving the activity that participants are contracting with that employee and not with the institution and that the institution and the State of Arkansas do not assume any contractual obligations for the conduct of the employee's activity.

(e)(1) Each employee who is authorized under the provisions of this section to engage in outside work for private compensation on or in campus facilities shall, within a reasonable period of time after completion of the employment, submit a complete financial report relating to the employment to the chief financial officer of the institution.

(2) On an annual basis, the chief financial officer of the institution shall submit to the governing board a summary of all such financial reports received by him or her.

History. Acts 1981, No. 707, §§ 1-4;
A.S.A. 1947, §§ 80-3390 — 80-3390.3.

SUBCHAPTER 5 — TRUST CONVEYANCES

SECTION.	
6-62-501.	Definitions.
6-62-502.	Trust conveyances authorized.
6-62-503.	Acceptance of conveyance — Administration.
6-62-504.	Title — Encumbrances.

SECTION.	
6-62-505.	Status of property as that of private person.
6-62-506.	Tax exemption.
6-62-507.	Income from property.

Cross References. Validity as to creditors of gratuitous conveyances to educational institutions, § 4-59-206.

Effective Dates. Acts 1965, No. 565, § 9: Mar. 24, 1965. Emergency clause provided: "Whereas, many individuals have expressed a desire to convey properties for the use and benefit of the several tax supported institutions of higher learning in the State but have been uncertain as to the administration of such properties, the authority of the individual institution to own such property, and the proper method of conveying properties for the said purposes; and whereas, the said individuals desire to make such conveyances for the maximum benefit to the respective institutions without the burden of taxation on

the properties; and whereas, on account of such uncertainties the respective institutions are delayed in obtaining said properties and may lose much property altogether; and whereas, such delay in receiving and such loss of properties add to the expense of public education in the State of Arkansas and thereby make college education impossible for many students; and whereas, only by the passage of this Act and giving it immediate effect can such uncertainties and difficulties be removed; now therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety, shall take effect and be in full force from and after its passage and approval."

6-62-501. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Any tax-supported institution of higher learning" includes the University of Arkansas, University of Central Arkansas, Henderson State University at Arkadelphia, Arkansas Tech University, Arkansas State University at Jonesboro, and Southern Arkansas University at Magnolia, together with their respective branches and departments wherever located in the State of Arkansas, and any other institution offering courses in education beyond the twelfth grade of the public school system and supported primarily by appropriations from state funds;

(2) "Institution" refers to each of the tax-supported institutions of higher learning; and

(3) "Property" includes lands, buildings, and other property, real or personal, tangible or intangible.

History. Acts 1965, No. 565, § 1; A.S.A. 1947, § 80-3337.

Publisher's Notes. Acts 1971, No. 9, § 5, purported to amend Acts 1965, No. 565, § 1 by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Monticello and it is operated by the Board of Trustees for the University of Arkansas. See § 6-64-302.

Acts 1971, No. 512, § 7, purported to amend Acts 1965, No. 565, § 1, by deleting all references to "Arkansas Agricul-

tural, Mechanical, and Normal College" or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Negroes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7 did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23. The name of that institution was subsequently changed to the University of Arkansas at Pine Bluff and it is operated by the Board of Trustees of the University of Arkansas. See §§ 6-64-303, 6-64-304.

6-62-502. Trust conveyances authorized.

Property may be conveyed to the State of Arkansas in trust for any tax-supported institution of higher learning within the state, which property shall be held by the state, subject to the terms of the conveyance, for and on behalf of the institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, § 2;
A.S.A. 1947, § 80-3338.

6-62-503. Acceptance of conveyance — Administration.

(a) Acceptance of the conveyance by the State of Arkansas shall be evidenced by proclamation of the Governor.

(b) A copy of the proclamation certified by the Secretary of State shall be filed for record in the county or counties in which the real property is located.

(c) Upon acceptance of the conveyance, administration of the property shall be through the governing board of the particular institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, § 3;
A.S.A. 1947, § 80-3339.

6-62-504. Title — Encumbrances.

(a) The State of Arkansas shall take and hold title to any such lands, buildings, and other real property in fee simple or subject to existing encumbrances.

(b) However, the state shall not be required to discharge any encumbrance from funds other than those received from the administration of the property.

History. Acts 1965, No. 565, § 4;
A.S.A. 1947, § 80-3340.

6-62-505. Status of property as that of private person.

Subject to any restrictions which may be provided in the instrument of conveyance, property so conveyed to the State of Arkansas in trust for any tax-supported institution of higher learning within the state may be sold, leased, rented, subjected to mortgage indebtedness, and dealt with generally by the appropriate governing board in the same manner as the property of any private person.

History. Acts 1965, No. 565, § 5;
A.S.A. 1947, § 80-3341.

6-62-506. Tax exemption.

All property so conveyed to the State of Arkansas shall be deemed property owned by the state exclusively for a public purpose and shall be exempt from taxation.

History. Acts 1965, No. 565, § 7;
A.S.A. 1947, § 80-3343.

6-62-507. Income from property.

(a) All income derived from the administration of any such property shall be deposited in a separate account appropriately designated and shall inure to the benefit of and be used solely for the institution for whose benefit the conveyance shall have been made.

(b) Income derived from any such property shall not be charged against any appropriation which, except for a conveyance to the State of Arkansas, would otherwise have been made for the institution for whose benefit the conveyance shall have been made.

History. Acts 1965, No. 565, §§ 6, 8;
A.S.A. 1947, §§ 80-3342, 80-3344.

SUBCHAPTER 6 — TRANSFER OR LEASE OF PROPERTY

SECTION.

- 6-62-601. Definitions.
- 6-62-602. Transfer and lease authorized.
- 6-62-603, 6-62-604. [Repealed.]
- 6-62-605. Execution of contracts.
- 6-62-606. Exemption from compliance with certain state and local laws — Review by Arkansas Building Authority.
- 6-62-607. Right to mortgage or encumber property — Right to cure default.
- 6-62-608. Resolution authorizing transfer and lease.

SECTION.

- 6-62-609. Negotiations — Terms of transfer.
- 6-62-610. Boards of appraisers — Determination of fair market value and fair market rental.
- 6-62-611. Agreement for transfer and lease of property — Instruments of conveyance — Title insurance.
- 6-62-612. Lease agreement — Repurchase of property.
- 6-62-613. Bank funds.

Effective Dates. Acts 1983 (Ex. Sess.), No. 11, § 14 and No. 12, § 14: Oct. 31, 1983. Emergency clauses provided: "It has been found and it is hereby determined by the General Assembly that there is an acute shortage of funds available for the support of higher education in this State; that the Boards of Trustees of the Universities in the State own substantial property; and that the sale or leasing of such

property would provide substantial additional moneys for use by such Boards in the operation of the respective Universities. Therefore, an emergency is declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from and after its passage and approval."

6-62-601. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Bank funds" means any funds of a board that are neither appropriated from the State Treasury nor required to be deposited in the State Treasury;

(2) "Board" means the board of trustees of either the University of Arkansas, Arkansas State University, the University of Central Arkansas, Henderson State University, Arkansas Tech University, or Southern Arkansas University;

(3) "Lease agreement" means an agreement between an owner and a board pursuant to which the owner leases or subleases, or agrees to lease or sublease, property to the board;

(4) "Owner" means a person or group of persons to whom a board makes a transfer of property in accordance with the provisions of this subchapter. No member of the board shall have any interest, direct or indirect, in the owner;

(5) "Person" means a natural person, a firm, a general partnership, a limited partnership, an association, a corporation, or a public body;

(6) "Property" means any buildings or structures, utilities, on-site and off-site improvements, and other appurtenances and improvements, including the land upon which the building or structure is located, and undivided interests in any such property; and

(7) "Transfer" means to sell or to lease, as lessor or lessee.

History. Acts 1983 (Ex. Sess.), No. 11, § 1; 1983 (Ex. Sess.), No. 12, § 1; A.S.A. 1947, § 80-3391; Acts 1999, No. 823, § 1.

Amendments. The 1999 amendment deleted "if the building or structure is more than fifty (50) years old" in (6).

6-62-602. Transfer and lease authorized.

Subject to and in accordance with the provisions of this subchapter and in addition to any other statutory or inherent authority of a board, any board is authorized to transfer and simultaneously enter into a lease agreement concerning any property.

History. Acts 1983 (Ex. Sess.), No. 11, § 2; 1983 (Ex. Sess.), No. 12, § 2; A.S.A. 1947, § 80-3391.1; Acts 1999, No. 823, § 2.

Amendments. The 1999 amendment inserted "and in addition to any other statutory or inherent authority of a board."

6-62-603, 6-62-604. [Repealed.]

Publisher's Notes. Former §§ 6-62-603 and 6-62-604, concerning the subchapter as exclusive authority for transfers and the time limitation on initiation of transfers, were repealed by Acts 1999, No. 823, § 3. The sections were derived from the following sources:

6-62-603. Acts 1983 (Ex. Sess.), No. 11, § 12; 1983 (Ex. Sess.), No. 12, § 12; A.S.A. 1947, § 80-3391.11.

6-62-604. Acts 1983 (Ex. Sess.), No. 11, § 3; 1983 (Ex. Sess.), No. 12, § 3; A.S.A. 1947, § 80-3391.2.

6-62-605. Execution of contracts.

Boards are authorized to execute all contracts and legal instruments necessary and convenient to effectuate the transfers and the transactions herein authorized.

History. Acts 1983 (Ex. Sess.), No. 11, § 9; 1983 (Ex. Sess.), No. 12, § 9; A.S.A. 1947, § 80-3391.8.

6-62-606. Exemption from compliance with certain state and local laws — Review by Arkansas Building Authority.

(a) A board and an owner proceeding under this subchapter shall be exempt from compliance with all municipal and county land use restrictions, including, without limitation, zoning laws and requirements for obtaining building permits.

(b) In proceeding under this subchapter, it shall not be necessary for the board to comply with any other laws relating to the procurement, disposal, or leasing of property, including, without limitation, laws concerning the appointment of appraisers in connection therewith, laws restricting the obligation of funds for construction, and laws dealing with the improvement of historic structures, except that the transfer and the lease agreement shall be subject to the review and approval of Arkansas Building Authority.

History. Acts 1983 (Ex. Sess.), No. 11, §§ 10, 12; 1983 (Ex. Sess.), No. 12, §§ 10, 12; A.S.A. 1947, §§ 80-3391.9, 80-3391.11.

6-62-607. Right to mortgage or encumber property — Right to cure default.

(a) The transfer of any property shall authorize the owner to mortgage or otherwise encumber the property.

(b) However, the board shall retain the right to cure any default of the owner that could result in loss of possession by the owner, including a default in the payment of property taxes owed by such owner.

History. Acts 1983 (Ex. Sess.), No. 11, § 11; 1983 (Ex. Sess.), No. 12, § 11; A.S.A. 1947, § 80-3391.10.

6-62-608. Resolution authorizing transfer and lease.

(a) Before proceeding with any transfer, the board shall first determine, by resolution adopted at a legal meeting of the board:

(1) That the property proposed for transfer continues to be needed in the operation of the university; and

(2) That it is in the best interest of the university to transfer the property and use it as lessee under a lease agreement as provided in this subchapter.

(b) The resolution shall designate one (1) or more persons to act on behalf of the board to negotiate with potential owners concerning the terms of the transfer and lease agreement for the property described in the resolution.

History. Acts 1983 (Ex. Sess.), No. 11, § 3; 1983 (Ex. Sess.), No. 12, § 3; A.S.A. 1947, § 80-3391.2.

6-62-609. Negotiations — Terms of transfer.

(a) Subject to any requirements or limitations specified in the resolution, the persons so designated by the board shall proceed to negotiate with one (1) or more potential owners the transfer and lease agreement concerning the property described in the resolution.

(b) The transfer may be either for cash or on credit upon such terms and conditions and with such security as shall be approved by the board.

(c) The transfer price shall be an amount equal to not less than the fair market value of the property, determined as provided in § 6-62-610.

(d) The rent to be paid by the board under the lease agreement shall be not more than the fair market rental of the property, determined as provided in § 6-62-610.

(e) All terms of the transfer and lease agreement shall be subject to the approval of the board.

History. Acts 1983 (Ex. Sess.), No. 11, § 4; 1983 (Ex. Sess.), No. 12, § 4; A.S.A. 1947, § 80-3391.3.

6-62-610. Boards of appraisers — Determination of fair market value and fair market rental.

(a) The fair market value and fair market rental of the property shall be determined by a board of qualified professional appraisers, consisting of one (1) appraiser appointed by the board, one (1) appraiser appointed by the owner, and one (1) appraiser appointed by the Governor.

(b) In determining fair market rental, the board of appraisers shall give consideration to any improvements or additions to the property which the owner is obligated to make.

(c)(1) If any two (2) of the appraisers agree on the fair market value or the fair market rental, this appraisal shall be taken as conclusive.

(2) If two (2) of the appraisers are unable to agree on either the fair market value or the fair market rental, the fair market value or fair market rental shall be determined by adding the fair market value or

the fair market rental as determined by each of the three (3) appraisers and dividing the total by three (3).

(d) Each member of the board of appraisers shall, before entering upon his or her duties, make and subscribe, in duplicate, an affidavit that he or she is not in any manner interested either directly or indirectly in either the transfer of or lease agreement concerning said property and that he or she will well and truly, according to the best of his or her ability, appraise the fair market value or the fair market rental of the property in accordance with the provisions of his or her appointment.

(e) Copies of each instrument appointing an appraiser, copies of each affidavit of an appraiser, and copies of each appraisal made shall be filed with the board and with the owner.

(f) Each appraiser shall be entitled to reasonable compensation for his or her services and to reimbursement of his or her reasonable and necessary expenses incurred in connection with his or her services.

(g)(1) The board shall have the responsibility of paying the appraiser appointed by it.

(2) The owner shall have the responsibility of paying the appraiser appointed by it.

(3) The charges of the appraiser appointed by the Governor shall be shared equally by the board and the owner.

History. Acts 1983 (Ex. Sess.), No. 11, § 5; 1983 (Ex. Sess.), No. 12, § 5; A.S.A. 1947, § 80-3391.4.

6-62-611. Agreement for transfer and lease of property — Instruments of conveyance — Title insurance.

(a)(1) Upon completion of the determination of the fair market value and the fair market rental of the property, the board may enter into an agreement with the owner for the transfer of, which may be by lease from the board, as lessor, to the owner, as lessee, and lease agreement concerning the property.

(2) The agreement may provide that the owner will make improvements or additions to the property subject to the inspection and approval of all improvements and additions to the property by Arkansas Building Authority.

(b) Thereafter, as part of a simultaneous transaction, the board shall cause to be delivered to the owner appropriate instruments of conveyance to transfer the property to the owner, and the owner and the board shall enter into a lease agreement concerning the property.

(c) The instruments of conveyance shall contain such warranties and covenants of title as the parties shall have agreed to, and the board may furnish the owner title insurance or a commitment for title insurance.

History. Acts 1983 (Ex. Sess.), No. 11, § 6; 1983 (Ex. Sess.), No. 12, § 6; A.S.A. 1947, § 80-3391.5.

6-62-612. Lease agreement — Repurchase of property.

(a) Except as otherwise provided in this subchapter, the lease agreement may be for such term and may contain such covenants and provisions to which the parties agree.

(b)(1) The board's obligations under the lease agreement and under any other contract entered into pursuant to this subchapter shall be obligations only of the board, and in no event shall they constitute obligations for which the faith and credit of the State of Arkansas or any of its revenues are pledged.

(2) No member of the board shall be personally liable to perform any obligations under the lease agreement or under any other contract entered into pursuant to this subchapter or for any damages sustained by any person in connection with the lease agreement, any other contract entered into, or any actions taken pursuant to this subchapter unless he or she shall have acted with a corrupt intent.

(c) The lease agreement or any other contract entered into pursuant to this subchapter may provide that the obligations of the board are limited obligations payable solely from bank funds, or it may provide that the board's obligations are general obligations payable from any funds, including appropriated funds, available to the board.

(d) The lease agreement shall not pledge to the payment of rent any funds appropriated or to be appropriated from the State Treasury.

(e) To the extent that the obligations of the board are general obligations, the lease agreement or any other contract shall expressly provide that these obligations are subject to appropriations and that these obligations either terminate, or are subject to termination at the option of the board, not later than the end of each biennial period of the state.

(f)(1) The lease agreement may give the board an option, a right of first refusal, to repurchase the property covered by the lease agreement, or a portion thereof, for a purchase price equal to not less than its fair market value at the time the option is exercised, determined as provided in § 6-62-610, and upon such other terms and conditions as provided therein.

(2) If the lease agreement provides for a purchase option, the board is authorized, upon determination of the repurchase price, to repurchase the property or to contract for the repurchase of the property.

History. Acts 1983 (Ex. Sess.), No. 11, § 7; 1983 (Ex. Sess.), No. 12, § 7; A.S.A. 1947, § 80-3391.6.

6-62-613. Bank funds.

(a) All moneys received by a board as consideration for the transfer of property, whether in the form of payment of the principal of or interest on the purchase price for property sold, rent for property leased or in any other form, and all investment earnings thereon, are specifically declared to be bank funds.

(b) Such moneys shall not be deposited in the State Treasury but shall be deposited in accounts of the board in one (1) or more banks selected by the board.

(c)(1) Such moneys may be used for any lawful purpose specified by the board without the necessity of legislative authorization or voucher examination and approval under §§ 19-4-801 et seq.

(2) However, no part of the moneys shall ever be used to pay current operating expenses of the university other than in connection with the property for which such moneys were received.

(d) The board may invest and reinvest all or part of such moneys. Such investments and expenditures shall be subject to audit as provided by law.

History. Acts 1983 (Ex. Sess.), No. 11, § 8; 1983 (Ex. Sess.), No. 12, § 8; A.S.A. 1947, § 80-3391.7.

SUBCHAPTER 7 — ARKANSAS COLLEGE SAVINGS BOND ACT

SECTION.

- 6-62-701. Title.
- 6-62-702. Legislative findings and declaration of public necessity.
- 6-62-703. Definitions.
- 6-62-704. Construction.
- 6-62-705. Power and duties of Arkansas Development Finance Authority and Arkansas Higher Education Coordinating Board.
- 6-62-706. Financial resources or financial aid or assistance.
- 6-62-707. Bonds — Authorization — Amount outstanding.
- 6-62-708. Bonds — Principal amount.
- 6-62-709. Bonds — Issuance — Duties of Arkansas Higher Education Coordinating Board and Arkansas Development Finance Authority.
- 6-62-710. Bonds — Financial incentives.
- 6-62-711. Bonds — Purposes.
- 6-62-712. Bonds — Terms and conditions generally.
- 6-62-713. Bonds — Terms and conditions — Series bonds.
- 6-62-714. Bonds — Resolution or trust

SECTION.

- indenture — Selection of projects.
- 6-62-715. Refunding bonds.
- 6-62-716. Bonds — Execution.
- 6-62-717. Bonds — Sale — Employment of administrative agents, fiscal agents, and legal counsel.
- 6-62-718. Bonds — General obligations — Pledge of revenues.
- 6-62-719. Bonds — Payment — Bond fund — Debt Service Reserve Fund.
- 6-62-720. Bond — Tax exemption — Legal investments.
- 6-62-721. Bonds — Rights and liabilities — Enforcement.
- 6-62-722. Bonds — Rights and liabilities — Commencement.
- 6-62-723. Bonds — Deposit of proceeds.
- 6-62-724. Bonds — Investment and disbursement of funds.
- 6-62-725. Judicial review — Priority.
- 6-62-726. Rules and regulations — Acts 1997, No. 342.
- 6-62-727. Rules and regulations — Acts 1997, No. 1211.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-62-701 to 6-62-725 may not apply to §§ 6-62-726 and 6-62-727, which were enacted subsequently.

Acts 1989, No. 683, § 17, provided: “No

bonds shall be issued under this act except by and with the consent of a majority of the qualified electors of the State voting on the question at the general election of 1990. Notice thereof shall be published by

the Secretary of State in a newspaper of general circulation in the State at least sixty (60) days prior to the general election, and notice thereof shall be mailed to the County Board of Election Commissioners and the Sheriff of each county at least sixty (60) days prior to the general election. It shall not be necessary, to publish this act itself, but the notice shall state that it is issued for the purpose of having the people vote on substantially the following question:

“Shall the Arkansas Development Finance Authority be authorized to issue College Savings General Obligation Bonds under the authority of the Arkansas College Savings Bond Act of 1989 in the total Principal amount of not exceeding \$300,000,000, in series from time to time in principal amounts not to exceed without prior approval of the General Assembly, \$100,000,000, in any fiscal bien-nium, which bonds shall be secured by a pledge of the full faith and credit of the State of Arkansas?

“Whether the question is presented at the general election of 1990, the title of this act shall be the ballot title, and there shall be printed on the ballot the proposition as stated above, and the following:

FOR Issuance of Arkansas College Savings General Obligation Bonds /____/
 AGAINST Issuance of Arkansas College Savings General Obligation Bonds /____/

“The county boards of election commissioners of the several counties of this State shall hold and conduct the election, and each such board is hereby authorized and directed to take such action with respect to the appointment of election officials and such other matters as the law requires; and the vote shall be canvassed and the result thereof declared in each county by such several county boards. The results shall within ten (10) days after the date of the election be certified by such county boards to the Secretary of State who shall forthwith tabulate all returns so received by him and certify to the Governor the total vote for and against the proposition submitted as in this section provided.

“The result of the election shall be proclaimed by the Governor by publication one time in a newspaper published in the City of Little Rock, Arkansas, and the

result as proclaimed shall be conclusive unless attacked in the courts within thirty (30) days after the date of such publication.” Acts 1989, No. 683 was approved at the general election held on Nov. 6, 1990.

Acts 1989, No. 683, § 18 provided: “If a majority of the qualified electors voting on the proposition shall vote for the issuance of the bonds, the Authority and the State Board shall proceed with the sale and the issuance of the bonds as provided in this act. If a majority of the qualified electors voting on the proposition vote against the issuance of the bonds, none of the bonds authorized by this act shall ever be sold and issued, and all provisions of this act shall be of no further effect.”

Acts 1989, No. 683, § 26, in part, provided: “If, for any reason any section or provision of this act shall be held to be unconstitutional or invalid for any reason, such holding shall not affect the remainder of this act, but this act, insofar as it is not in conflict with the Constitution of this State or the Constitution of the United States, shall be permitted to stand, and the various provisions of this act are hereby declared to be severable for that purpose.”

Publisher’s Notes. Acts 1991, No. 102, § 2 provided: “Subsection (e) of Section 4 of Act 683 of 1989 is hereby amended to read as follows ...”, but presumed subdivision (3) was intended.

Effective Dates. Acts 1989, No. 683, § 29: Emergency failed to pass. Emergency clause provided: “It has been found and it is hereby declared by the General Assembly that there is an immediate need for the development of the State’s higher education resources and to further assist the higher education goals and aspirations of its inhabitants, and other essential purposes. For these reasons, it is declared necessary for the preservation of the public peace, health, and safety that this act become effective without delay. It is therefore, declared that an emergency exists, and this Act shall take effect from the date of its passage and approval.”

Acts 1991, No. 102, § 12: Feb. 12, 1991. Emergency clause provided: “It is hereby found and determined by the Seventy-Eighth General Assembly, that the people of this state approved the issuance of general obligation bonds for the improvement of higher education institutions on this state; that in approving these bonds

certain statements were made by various public officials concerning the use of the proceeds of the bonds issue and the costs associated with said issue; and that clarification of this act is required immediately before the bonds are made available to the public. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 1995, No. 1167, § 11: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 342, § 51: Mar. 5, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the

appropriation of funds for more than a two (2) year period; that previous General Assemblies have provided appropriations for the projects provided or enumerated in this act; that certain appropriations will expire before the adjournment of the General Assembly; and that if such appropriations expire, the projects and programs authorized herein will cease thereby depriving the citizens of the State of the benefits to be derived from such projects. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-62-701. Title.

This subchapter may be referred to and cited as the "Arkansas College Savings Bond Act of 1989".

History. Acts 1989, No. 683, § 1.

Publisher's Notes. Acts 1991, No. 102, § 3[8], provided: "It is the intent of the Arkansas General Assembly that participation in the purchasing of the bonds issued under Act 683 of 1989 by many

Arkansas investors should be maximized. To this end, the Arkansas Development Finance Authority is urged to issue the bonds in small denominations so that they can be purchased by individual Arkansas citizens for college-bound students."

6-62-702. Legislative findings and declaration of public necessity.

The General Assembly hereby finds:

(1) The availability of higher educational opportunities for families in the state with school-age children has become increasingly necessary in order to preserve and protect the health, welfare, and prosperity of the state and its citizens and the increasing competitiveness and technological sophistication of today's products, services, and markets and the growing importance of our dynamic economy requires a highly educated and well-trained work force in order for the state to preserve, protect, and promote employment opportunities;

(2) A strong system of higher education has been and will continue to be not only a wellspring for the enhancement of the state's cultural well-being, but also a substantial contributing factor to the growth of the state's economy by stimulating the development of new products and services, and the ability of families who are residents of the state to provide the means to afford the cost of higher education for the children in the family is a matter of highest concern to those families;

(3) The state has made a substantial investment in higher education through direct support of public higher education through appropriations, grants, subsidies, and loans, through support of student assistance, and its citizens, and through charitable and philanthropic support to public and private institutions of higher education from individuals and organizations within the state. As a result of this investment, the state has a major financial interest in assisting families in providing themselves with the means to bear the cost of higher education;

(4) In recent years tuition and other costs such as required fees and charges, room and board, and similar expenses have increased at rates in excess of the average inflation rate, while available sources of student assistance have not kept pace with those costs. Families have not found convenient and simple methods to make secure investments which meet the rising cost of higher education. The state would benefit from a program which would decrease families' reliance on borrowed funds and increase their opportunity to invest and save to meet college expenses;

(5) There is a growing need for the state to undertake projects to renew and expand the state's higher education facilities and physical plant, including the construction, repair, expansion, and renewal of various education facilities, and to provide for the acquisition of teaching and research equipment and library assets;

(6) As a consequence of the importance to the state in providing an appropriate vehicle for state residents in which to invest for the cost of higher education at a time when there is a present and growing need for the state to finance major improvements for its state institutions of higher education, an opportunity exists to address those combined and interrelated objectives of the state through a program which provides

for the financing of a portion of the state institutions' higher education needs through a financing program also designed to meet the needs of families who desire a suitable investment to provide against the rising cost of higher education; and

(7) The General Assembly therefore finds that the public policies and responsibilities of the state as set out in this section cannot be fully obtained without the use of public financing and that such public financing can only be provided by the adoption of this subchapter by the General Assembly and its approval by the electors of the state.

History. Acts 1989, No. 683, § 2.

6-62-703. Definitions.

In this subchapter, unless the context otherwise requires:

(1) "Authority" means the Arkansas Development Finance Authority;

(2) "Cost of higher education" shall include, but not be limited to, the cost of tuition, room and board related to instruction, books, laboratory materials, tools, and other supplies necessary and related to a course of instruction at an institution of higher education;

(3) "Debt service" means principal, interest, and redemption premiums, if any, and trustees' and paying agents' and like servicing fees relative to the bonds;

(4) "Develop" means to construct, acquire by purchase or, as set forth herein, by eminent domain, install or equip any lands, buildings, improvements, machinery, equipment, or other properties of whatever nature, real, personal, or mixed;

(5) "Institution of higher education" means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly or any nonpublicly supported not-for-profit college or university;

(6) "Person" means any individual, partnership, or corporation, or any county, municipality, or school district of the State of Arkansas, or agency thereof, or any agency of the State of Arkansas;

(7) "Project" means any lands, buildings, improvements, machinery, equipment, or other property, real, personal, or mixed, or any combination thereof, developed in pursuance of all or any of the purposes of this subchapter;

(8) "Project costs" means all or any part of the costs of developing any project hereunder, costs incidental or appropriate thereto, and costs incidental or appropriate to the financing thereof, including, without limitation, capitalized interest, appropriate reserves and fees and costs for engineering, legal, and other administrative and consultant services;

(9) "State" means the State of Arkansas;

(10) "State board" means the Arkansas Higher Education Coordinating Board; and

(11) "State institution of higher education" means any public university, college, technical college, and community college now or hereafter established or authorized by the General Assembly.

History. Acts 1989, No. 683, § 4; 1991, intent of Acts 1991, No. 102, see Publisher's Note to § 6-62-701.
No. 102, §§ 2, 3; 1993, No. 171, § 1.

Publisher's Notes. As to legislative

6-62-704. Construction.

(a) This subchapter shall be liberally construed to accomplish the purposes hereof. This subchapter shall constitute the sole authority necessary to accomplish the purposes hereof, and to this end it shall not be necessary that the provisions of other laws pertaining to the development of public facilities and properties and the financing thereof be complied with.

(b) This subchapter shall be interpreted to supplement existing laws conferring rights and powers upon the Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, and the rights and powers set forth herein shall be regarded as alternative methods for the accomplishment of the purposes of this subchapter.

History. Acts 1989, No. 683, § 27.

6-62-705. Power and duties of Arkansas Development Finance Authority and Arkansas Higher Education Coordinating Board.

(a) The Arkansas Development Finance Authority and the Arkansas Higher Education Coordinating Board, jointly, in addition to powers conferred under other laws, shall have the power under this subchapter to:

(1) Provide loans from bond proceeds to state institutions of higher education, including technical colleges, community colleges, or agencies and instrumentalities of the state for payment of project costs;

(2) Construct or cause to be constructed with proceeds of the bonds or loans by the authority and the state board, lease as lessee, and in any manner acquire, own, hold, maintain, operate, sell, dispose of, lease as lessor, exchange, mortgage, or lend with respect to all or any part of any project;

(3) Acquire, own, hold, use, exercise, sell, mortgage, pledge, hypothecate, and in any manner to dispose of franchises, rights, privileges, licenses, rights-of-way, and easements necessary, useful, or appropriate for the exercise of the powers or implementation or the purposes set forth in this subchapter;

(4) Sell and convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of any project or other properties, tangible or intangible, including, without limitation, franchises, rights, privileges, licenses, rights-of-way, and easements;

(5) Have and exercise the right of eminent domain for the purpose of acquiring lands, the fee title thereto or any easement, right-of-way, or

other interest or estate therein, for projects or portions thereof, by the procedure now provided for condemnation by railroads by §§ 18-15-1201 — 18-15-1207;

(6) Make or accept gifts or grants of moneys, services, franchises, rights, privileges, licenses, rights-of-way, easements, or other property, real or personal or mixed;

(7) Make any and all contracts necessary or convenient for the exercise of the powers or implementation of the purposes set forth in this subchapter;

(8) Fix, regulate, and collect rates, fees, rents, or other charges for the use of any properties or services furnished by the authority or the state board;

(9) Require audits of any or all accounts related to construction, operation, or maintenance of any project funded by this subchapter;

(10) Take reasonable actions necessary to ensure that debt service requirements are met; and

(11) Take such other action as may be appropriate to accomplish the purposes of this subchapter.

(b) The state board and the authority are authorized to promulgate rules and regulations with respect to their powers and duties pursuant to this subchapter.

History. Acts 1989, No. 683, §§ 14, 25;
1993, No. 171, § 2.

6-62-706. Financial resources or financial aid or assistance.

(a) The Arkansas Development Finance Authority, with the assistance of the Arkansas Higher Education Coordinating Board, shall develop and implement an educational program with marketing strategies designed to inform parents of the options available for financing a college education and the need to accumulate financial resources necessary to pay for a college education.

(b) In evaluating the financial situation of a student, proceeds of bonds or accumulated bonds and interest in an amount not in excess of five thousand dollars (\$5,000) annually for undergraduate students, and not in excess of seven thousand five hundred dollars (\$7,500) for postgraduate students shall not be deemed a financial resource or a form of financial aid or assistance to such student, for the purposes of determining the eligibility of such student for any scholarship, grant, or monetary assistance awarded by the state or any agency thereof, nor shall such annual amounts of proceeds of any bond or accumulated bonds and interest provided for a qualified student under this subchapter reduce the amount of any scholarship, grant, or monetary assistance that such student is entitled to be awarded by the state or any agency thereof in accordance with the provisions of any other section of this subchapter or any other law of this state.

History. Acts 1989, No. 683, §§ 23, 24.

A.C.R.C. Notes. Acts 1989, No. 683, § 24, provided, in part, that the Authority “shall report to the Governor and the

General Assembly on the program developed and its operation no later than September 30, 1991.”

6-62-707. Bonds — Authorization — Amount outstanding.

The Arkansas Development Finance Authority, the “authority”, on behalf of the State of Arkansas is hereby authorized to issue bonds and to have bonds outstanding which shall be general obligations of the State of Arkansas, to be known as Arkansas college savings general obligation bonds, the “bonds”, in the total principal amount of not exceeding three hundred million dollars (\$300,000,000), for the purposes set forth herein.

History. Acts 1989, No. 683, §§ 3(a), 20; 1991, No. 102, § 1.

intent of Acts 1991, No. 102, see Publisher’s Note to § 6-62-701.

Publisher’s Notes. As to legislative

6-62-708. Bonds — Principal amount.

The total principal amount of bonds to be issued during any fiscal biennium shall not exceed three hundred million dollars (\$300,000,000), nor shall the principal amount of bonds outstanding at any time have debt service requirements in excess of twenty-four million dollars (\$24,000,000) in any one (1) fiscal year from all sources.

History. Acts 1989, No. 683, § 3(b); 1991, No. 102, § 1; 1995, No. 1167, § 5; 1997, No. 342, § 43; 1997, No. 1211, § 32.

A.C.R.C. Notes. Acts 2001, No. 1612, § 23, provided: “COLLEGE SAVINGS BONDS LIMITATIONS. Arkansas Code 6-62-708 is amended to read as follows: “The total principal amount of bonds to be issued during any fiscal biennium shall not exceed three-hundred million dollars (\$300,000,000), nor shall the principal amount of bonds outstanding at any time have debt service requirements in ex-

cess of twenty-four million dollars (\$24,000,000) in any one fiscal year from all sources.”

“The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.”

Publisher’s Notes. As to legislative intent of Acts 1991, No. 102, see Publisher’s Note to § 6-62-701.

The language set forth in Acts 2001, No. 1612, § 23 was not incorporated into this section at the direction of the General Assembly.

6-62-709. Bonds — Issuance — Duties of Arkansas Higher Education Coordinating Board and Arkansas Development Finance Authority.

(a) Provided further that, before any bonds may be issued during any fiscal biennium, the Arkansas Higher Education Coordinating Board shall submit to the Governor a written plan for projects to be performed with the proceeds derived from the sale of such bonds, the need for, the estimated benefits thereof, and the anticipated debt service requirements. None of the proceeds from the issuance of the bonds as authorized herein shall be used for athletic facilities.

(b) Upon receipt thereof, the Governor shall confer with the Chief Fiscal Officer of the State concerning the amount available in the state General Improvement Fund, which such funds shall be used to defray said debt service requirements in such amounts as are determined to be available. The Chief Fiscal Officer of the State shall then determine whether the annual amount of general revenue funds required to be set aside from the net general revenue as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., for payment of the remaining debt service requirements in connection with the bonds during either year of the fiscal biennium in which the bonds are to be issued, would work undue hardship upon any agency or program supported from general revenues under the provisions of the Revenue Stabilization Law, § 19-5-101 et seq.

(c) In connection with its duties and powers hereunder, the Arkansas Development Finance Authority shall have the following responsibilities:

(1) To make recommendations to the Governor and the Chief Fiscal Officer of the State regarding the marketing of the bonds to ensure, to the extent possible, their broad distribution throughout the state for educational purposes;

(2) To advise the Governor and the Chief Fiscal Officer of the State on an effective advertising campaign to inform the general public about the bonds and their availability;

(3) To advise the Governor and the Chief Fiscal Officer of the State regarding the increments in which to market the bonds and recommend maturity dates which will make funds available to purchasers at a time when such funds are needed for educational purposes;

(4) To advise the Governor and the Chief Fiscal Officer of the State regarding additional financial incentives as provided in this subchapter;

(5) To advise the Governor and the Chief Fiscal Officer of the State on the minimum denominations to market the bonds so that they are affordable by individuals;

(6) To evaluate the feasibility of staggered or periodic forms of payment for bonds, and to advise the Governor and Chief Fiscal Officer of the State regarding such evaluation;

(7) After the initial sale of bonds, to assess the effectiveness of the program and recommend constructive changes to the Governor and the Chief Fiscal Officer of the State regarding future bond sales;

(8) To study and review alternative investment instruments with respect to their suitability for a college savings program.

(d) Upon conclusion of such studies, the Governor shall, if he or she deems the same to be in the public interest, by proclamation, authorize the state board and the authority to proceed with the issuance of the bonds as provided herein.

(e) If the Governor shall decline or refuse to give his or her approval for the issuance of such bonds, and shall decline to issue a proclamation approving the issuance thereof, the Governor shall promptly notify the

state board and the authority, in writing, and the authority shall not issue such bonds, but the state board may resubmit a request to the Governor for the issuance thereof within one (1) year from the date of notice of the Governor's refusal to grant approval for the issuance thereof.

(f) The issue as resubmitted to the Governor shall be dealt with in the same manner as provided for the initial request for authority to issue the bonds.

History. Acts 1989, No. 683, § 3; 1991, No. 102, § 1. intent of Acts 1991, No. 102, see Publisher's Note to § 6-62-701.

Publisher's Notes. As to legislative

6-62-710. Bonds — Financial incentives.

(a) The proceedings of the Arkansas Higher Education Coordinating Board, the Arkansas Development Finance Authority and the Governor authorizing the issuance of bonds may also provide for additional financial incentives to be provided to holders of such bonds to encourage the enrollment of students at institutions of higher education located within the state.

(b)(1) Such financial incentives shall be in the form as recommended by the state board and approved by the Governor and Chief Fiscal Officer of the State at the time of the authorization of such bonds and may include, among others, supplemental payments to the holders of such bonds at maturity when such proceeds are to be applied to the cost of higher education as defined in § 6-62-703(2) at an institution of higher education located within the state.

(2) Such financial incentives shall be provided only if, in the sole judgment of the Governor and the Chief Fiscal Officer of the State that the cost of such incentives shall not cause the cost to the state of the proceeds of the bonds being sold to be increased by more than one-half of one percent (.05%).

(c) No such financial incentives shall be paid to assist in the financing of an education of a student:

(1) In a school or department of divinity for any religious denomination; or

(2) Pursuing a course of study consisting of training to become a minister, priest, rabbi, or professional person in the field of religion.

History. Acts 1989, No. 683, § 19.

6-62-711. Bonds — Purposes.

Bonds issued under this subchapter shall be issued for the purpose of financing the development of higher education projects at state institutions of higher education, and the proceeds of any bonds issued under this subchapter shall be applied for the payment of project costs or the refunding of bonds outstanding as authorized in §§ 6-62-709(b) and (c) and 6-62-715.

History. Acts 1989, No. 683, § 6.

6-62-712. Bonds — Terms and conditions generally.

The bonds:

(1) May be issued in the form of coupon bonds, payable to bearer, or as bonds registered as to principal only with interest coupons, or as bonds registered as to both principal and interest without coupons;

(2) May be in such denominations;

(3) May be made exchangeable for bonds of another form or denomination, bearing the same rate of interest and date of maturity;

(4) May be made payable as to principal and interest at such places within or without the state;

(5) May be made subject to redemption prior to maturity in such manner and for such redemption prices; and

(6) May contain such other terms and conditions all as the Arkansas Development Finance Authority shall determine.

History. Acts 1989, No. 683, § 5.

6-62-713. Bonds — Terms and conditions — Series bonds.

(a) The bonds shall be issued whether or not the interest is subject to federal income taxation, in series, as set forth herein, in amounts sufficient to finance all or any part of project costs with the respective series to be designated in alphabetical order or by the year in which issued.

(b) The bonds of each series shall:

(1) Have such date as the Arkansas Development Finance Authority shall determine and shall mature semiannually or annually, or be subject to mandatory sinking fund redemption, over a period ending not later than thirty (30) years after the date of the bonds of each series so as to provide annual debt service of approximately equal amounts insofar as practicable each year throughout the term of the bonds, as determined by the authority. Pending the issuance of bonds hereunder, the authority may issue temporary notes, to be exchanged for or paid from the proceeds of bonds at such times as bonds may be issued;

(2) Bear interest at the rate or rates accepted by the authority at the sale of the bonds. Interest shall be payable at such times and in such manner as the authority shall determine, including the utilization of zero coupon or capital appreciation bonds; and

(3) Have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to the provisions regarding registration of ownership set forth above.

History. Acts 1989, No. 683, § 5.

6-62-714. Bonds — Resolution or trust indenture — Selection of projects.

(a) All bonds issued hereunder shall be authorized by resolution of the Arkansas Development Finance Authority. Each such resolution shall contain such terms, covenants, and conditions as are deemed desirable, including, without limitation, those pertaining to the establishment and maintenance of funds and accounts, to the deposit and investment of revenues and of bond proceeds, and to the rights and obligations of the state, its officers and officials, the authority, and the holders and registered owners of the bonds. All bonds issued under this subchapter shall be on a parity as to security. The resolution of the authority may provide for the execution and delivery by the authority of a trust indenture or trust indentures, with a bank or banks located within or without the state, containing any of the terms, covenants, and conditions referred to above, which trust indenture or trust indentures shall be binding upon the state and its officers and officials to the extent set forth in this subchapter.

(b) Any resolution or trust indenture adopted or executed under this section shall provide that power is reserved to apply to the payment of debt service on the bonds issued or secured thereunder all or any part of the revenues derived from any program or project financed by such bonds, and, to the extent of such revenues, to release from any requirement of such resolution or trust indenture other revenues and resources of the state, including, without limitation, the net general revenue required to be transferred under § 6-62-719.

(c) Any resolution of trust indenture adopted or executed under this section may provide for the retirement and defeasance of the bonds by the depositing in trust of cash or investments maintained for that purpose, and, when the provisions of such resolution or trust indenture are complied with, such bonds being refunded shall not be deemed to be bonds outstanding for the purposes of this subchapter.

(d) The Arkansas Higher Education Coordinating Board may select projects for financing and development under this subchapter which offer reasonable and realistic prospects for the production of revenues, whether by direct user fees, sales, royalties, program or gate receipts, or otherwise.

History. Acts 1989, No. 683, § 7; 1991, No. 102, § 4.

intent of Acts 1991, No. 102, see Publisher's Note to § 6-62-701.

Publisher's Notes. As to legislative

6-62-715. Refunding bonds.

(a) Bonds may also be issued for the purpose of refunding, either at maturity or in advance of maturity, any bonds issued under this subchapter.

(b)(1) Such refunding bonds may either be sold or delivered in exchange the bonds being refunded.

(2) If sold, the proceeds may either be applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds refunded, as shall be specified by the Arkansas Development Finance Authority and the authorizing resolution or trust indenture securing such refunding bonds.

(c) The authorizing resolution or trust indenture securing the refunding bonds may provide that the refunding bonds shall have the same security for their payment as provided for the bonds being refunded. Refunding bonds shall be sold and secured in accordance with provisions of this subchapter pertaining to the sale and security of the bonds.

History. Acts 1989, No. 683, § 20.

6-62-716. Bonds — Execution.

(a) Each bond shall be signed with the facsimile signatures of the Governor, the Secretary of State, and the Chair of the Arkansas Development Finance Authority and by the manual or facsimile signature of the Treasurer of State or by a deputy of the Treasurer of State, and shall have affixed or imprinted thereon the Great Seal of the State of Arkansas.

(b) Interest coupons attached to the bonds, if any, shall be signed with the facsimile signature of the Treasurer of State.

(c) Delivery of bonds and coupons so executed shall be valid, notwithstanding any change in persons holding such offices occurring after the bonds have been executed.

History. Acts 1989, No. 683, § 8.

6-62-717. Bonds — Sale — Employment of administrative agents, fiscal agents, and legal counsel.

(a) The bonds may be sold in such manner, either at public or private sale, and upon such terms as the Arkansas Development Finance Authority shall determine to be reasonable and expedient for effectuating the purposes of this subchapter. The bonds may be sold at such prices as the authority may accept, including, but not limited to, sale at discount or a premium.

(b)(1) If the bonds are sold at public sale, such public sale shall be on sealed bids, after notice published by the chair of the authority for at least one (1) insertion not less than twenty (20) days before the date of sale in a newspaper published in Little Rock, Arkansas, and in a financial newspaper or journal published in the Borough of Manhattan, City and State of New York, which notice shall contain such other terms and provisions as the authority determines to be desirable.

(2) The authority shall award the sale to the bidder offering to purchase the bonds at a price which results in the lowest net interest cost or true interest to the State of Arkansas determined by computing

the total interest cost from date of the issue to maturity, and deducting therefrom any premium bid and adding thereto the amount of any discount bid.

(3) Provided, however, the authority shall reserve the right to reject all bids tendered at such public sale.

(c) If the bonds are sold at a private or negotiated sale, within ninety (90) days following the close of such bond issue, the authority shall file with the Legislative Council a written report of the details of the bond sale, which report shall include a listing of the firms to whom the sale was made, the rate or rates of interest paid for the bonds, the underwriting fee or discount, and other details of the underwriting of the bonds.

(d) The costs of publication of notices, bond printing, official statements, other documents, and other costs associated with the sale, issuance, and delivery of the bonds shall be paid from the proceeds of the bonds.

(e) The authority may employ administrative agents, fiscal agents, and legal counsel and may pay them reasonable compensation out of the proceeds of the bonds.

History. Acts 1989, No. 683, § 9.

6-62-718. Bonds — General obligations — Pledge of revenues.

(a) The bonds shall be direct general obligations of the State of Arkansas, for the payment of the debt service on which the full faith and credit of the State of Arkansas are hereby irrevocably pledged so long as any such bonds are outstanding.

(b) The bonds shall be payable from the general revenues of the state as such term is defined in the Revenue Stabilization Law, § 19-5-101 et seq., and such amount of general revenues as is necessary is hereby pledged to the payment of debt service on the bonds and shall be and remain pledged for such purposes.

History. Acts 1989, No. 683, § 11.

6-62-719. Bonds — Payment — Bond fund — Debt Service Reserve Fund.

(a) On or before the commencement of each fiscal year, the Chief Fiscal Officer of the State shall determine the estimated amount required for payment of all or a part of debt service on the bonds issued under this subchapter during such fiscal year, after making deductions therefrom of estimated moneys to be available to the authority from other sources therefor and making the necessary transfer of such moneys, and shall certify such estimated amount to the Treasurer of State, who shall make monthly transfers from the State Apportionment Fund to the bond fund to provide for payment of all or part of the debt service on the bonds issued under this subchapter, of such amount of net general revenue as such term is defined in the Revenue Stabiliza-

tion Law, § 19-5-101 et seq., as shall be required to pay the maturing debt service on bonds issued under this subchapter.

(b) The Treasurer of State shall make such additional monthly transfer or transfers of net general revenue as the Chief Fiscal Officer of the State shall certify to him or her as being required to enable the Arkansas Development Finance Authority to establish and thereafter maintain a debt service reserve fund, to provide a reserve or reserves for payment of debt service on the bonds. The obligation to make monthly transfers of net general revenue from the State Apportionment Fund to the bond fund and to the debt service reserve fund shall constitute a first charge against said net general revenue prior to all other uses to which said net general revenue are devoted, either under present law or under any laws that may be enacted in the future; provided, however, that, to the extent other general obligation bonds of the state may subsequently be incurred, all such general obligation bonds shall rank on a priority of security with respect to payment from net general revenue.

(c) Moneys credited to the bond fund and the debt service reserve fund shall be used only for the purpose of paying debt service on the bonds, either at maturity or upon redemption prior to maturity, and for such purposes, the Treasurer of State is hereby designated disbursing officer to administer such funds in accordance with the provisions of this subchapter.

(d) The debt service reserve fund shall be held and used to ensure prompt payment of debt service on the bonds in such manner and pursuant to such conditions as may be specified by the authority in the resolution or trust indenture authorizing or securing such bonds.

(e) Moneys in the bond fund and the debt service reserve fund over and above the amount necessary to ensure the prompt payment of debt service on the bonds, and the establishment and maintenance of a reserve fund, if any, may be used for the redemption of bonds prior to maturity in the manner and in accordance with the provisions pertaining to redemption prior to maturity, as set forth in the resolution or trust indenture authorizing or securing such bonds.

History. Acts 1989, No. 683, § 12; intent of Acts 1991, No. 102, see Publisher's Note to § 6-62-701.

Publisher's Notes. As to legislative

6-62-720. Bond — Tax exemption — Legal investments.

(a) All bonds issued under this subchapter, and interest thereon, shall be exempt from all taxes of the State of Arkansas, including income, inheritance, and property taxes.

(b) The bonds shall be eligible to secure deposits of all public funds and shall be legal for investment of municipal, county, bank, fiduciary, insurance company, and trust funds.

History. Acts 1989, No. 683, § 13.

6-62-721. Bonds — Rights and liabilities — Enforcement.

(a) This subchapter shall constitute a contract between the State of Arkansas and the holders and registered owners of all bonds issued hereunder which shall never be impaired, and any violation of its terms, whether under purported legislative authority or otherwise, shall be enjoined by the courts at the suit of any bondholder or of any taxpayer.

(b) The courts, in like suit against the Arkansas Development Finance Authority or the state board, the Treasurer of State, or other appropriate officer or official of the state, shall prevent a diversion of any revenues pledged hereunder and shall compel the restoration of diverted revenues, by injunction or mandamus.

(c) Also and without limitation as to any other appropriate remedy at law or in equity, any bondholder, by an appropriate action, including without limitation, injunction or mandamus, may compel the performance of all covenants and obligations of the state, its officers and officials, hereunder.

History. Acts 1989, No. 683, § 15.

6-62-722. Bonds — Rights and liabilities — Commencement.

This subchapter shall not create any right of any character, and no right of any character shall arise under or pursuant to it unless and until the first series of bonds authorized by this subchapter shall have been sold and delivered.

History. Acts 1989, No. 683, § 16.

6-62-723. Bonds — Deposit of proceeds.

(a) The proceeds from the sale of the bonds, together with all revenues derived from any project financed under this subchapter shall be deposited by the Arkansas Development Finance Authority, as received, into trust funds in the State Treasury, to accomplish the purposes of this subchapter, specifically, in amounts or portions as may be set forth in the resolution or trust indenture authorizing or securing the bonds issued to finance the development of such project, into trust funds created hereby and designated as follows:

(1) Into the Higher Education Projects Development Fund, to provide for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds;

(2) Into the College Savings Bond Fund, to provide for payment of all or a part of debt service on bonds issued under this subchapter;

(3) Into the College Savings Bond Debt Service Reserve Fund, to provide a reserve or reserves for payment of debt service on the bonds.

(b) The Treasurer of State is authorized and directed to establish separate accounts within such funds to correspond to the applicable

series of bonds. In addition, there may be created in the State Treasury such other funds or accounts as the authority may determine in said resolution or trust indenture to be necessary to accomplish the purposes of this subchapter.

History. Acts 1989, No. 683, § 10.

6-62-724. Bonds — Investment and disbursement of funds.

(a) Any moneys held in any fund created under this subchapter shall be invested by the State Board of Finance to the full extent practicable pending disbursement for the purposes intended. Notwithstanding any other provision of law, such investments shall be in accordance with the terms of the resolution or trust indenture are applicable.

(b) Moneys on deposit in the Higher Education Projects Development Fund shall only be disbursed for a project when requisitioned by the chair of the Arkansas Higher Education Coordinating Board, or duly authorized designee, and approved by the Chief Fiscal Officer of the State, or duly authorized designee, which requisition shall certify that the funds disbursed thereby are for the payment of project costs of a higher education project duly approved by the Arkansas Higher Education Coordinating Board.

History. Acts 1989, No. 683, §§ 21, 22; intent of Acts 1991, No. 102, see Publisher's Note to § 6-62-701.
1991, No. 102, §§ 5, 7.

Publisher's Notes. As to legislative

6-62-725. Judicial review — Priority.

All cases involving the validity of this subchapter or any portion thereof, or in any way arising under this subchapter or involving the bonds issued hereunder, shall be deemed of public interest and shall be advanced by all courts and heard as a preferred cause, and all appeals from judgments or decrees rendered in such cases must be taken within thirty (30) days after the rendition of such judgment or decree.

History. Acts 1989, No. 683, § 26.

6-62-726. Rules and regulations — Acts 1997, No. 342.

(a) The Department of Higher Education or other agency to which the appropriation for college savings bonds is provided shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter in order to ensure that funds are allocated and expended in a manner consistent with the applicable provisions of the Internal Revenue Code.

(b) The funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter shall be

allocated and expended pursuant to the provisions of this subchapter and other laws of this state.

(c) The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflict with any provision of the rules and regulations which are required to ensure the compliance of the program with the applicable provisions of the Internal Revenue Code.

History. Acts 1997, No. 342, § 42.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-62-701 to 6-62-725

may not apply to this section which was enacted subsequently.

6-62-727. Rules and regulations — Acts 1997, No. 1211.

(a) The Department of Higher Education shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter in order to ensure that funds are allocated and expended in a manner consistent with the applicable provisions of the Internal Revenue Code.

(b) The funds reappropriated for the development of projects at state institutions of higher education and the payment of project costs and expenses of the issuance of the bonds under this subchapter shall be allocated and expended pursuant to the provisions of this subchapter and other laws of this state.

(c) The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflict with any provision of the rules and regulations which are required to ensure the compliance of the program with the applicable provisions of the Internal Revenue Code.

History. Acts 1997, No. 1211, § 31.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-62-701 to 6-62-725 may not apply to this section which was enacted subsequently.

Acts 2001, No. 1612, § 22, provided: “COLLEGE SAVINGS BONDS. The Department of Higher Education shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at State Institutions of Higher Education and the payment of project costs and expenses of the issuance of the bonds of the Arkansas College Savings General Obligation Bonds Program to ensure that funds are allocated and expended in a manner consistent with the provisions of the Internal Revenue Code applicable to the Arkansas College Savings General Obligation Bond Program

(Program). The funds reappropriated for the development of projects at State Institutions of Higher Education and the payment of project costs and expenses of the issuance of the bonds of the Arkansas College Savings General Obligation Bonds Program shall be allocated and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq. and other laws of this State. The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflicts with any provision of the rules and regulations which rules and regulations are required to ensure the compliance of the Program with the applicable provisions of the Internal Revenue Code.

“The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.”

SUBCHAPTER 8 — ATHLETIC PROGRAMS

SECTION.

6-62-801. Purpose.

6-62-802. Definitions.

6-62-803. Limits on funding.

6-62-804. Deficits — Assessment of student athletic fee.

SECTION.

6-62-805. Certification by board of trustees.

6-62-806. Regulations — Nondiscriminatory application.

6-62-807. Reporting expenditures.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-62-801 — 6-62-806 may not apply to § 6-62-807 which was enacted subsequently.

Effective Dates. Acts 1997, No. 954, § 6: July 1, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that the state-supported institutions of higher education should be authorized to utilize additional unrestricted educational and general funds for providing gender equity in intercollegiate athletic programs; that such authority should begin at the beginning of the next fiscal year; that this act grants such authority; and that this act will not go into effect until after the beginning of the next fiscal year unless this emergency clause is adopted. Therefore, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997.”

Acts 1999, No. 1180, § 44: July 1, 1999. Emergency clause provided: “It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1999.”

6-62-801. Purpose.

The Arkansas Higher Education Coordinating Board is authorized and directed to limit unrestricted educational and general funds used to support intercollegiate athletic programs and to provide fair and equitable treatment in the amount of state subsidy of athletic program expenditures at state-supported institutions of higher education.

History. Acts 1991, No. 366, § 1.

6-62-802. Definitions.

As used in this subchapter:

(1) “Athletic deficit” means athletic expenditures offset by athletic revenues, including:

(A) Athletic-generated income;

(B) Profits from other auxiliary enterprises;

(C) The federally funded portion of college work-study students in the intercollegiate athletic program;

(D) Transfers from funds other than the unrestricted educational and general fund; and

(E) The allowable unrestricted educational and general transfer for four-year institutions, for two-year branches of four-year institutions, and at other two-year institutions of higher education;

(2) "Athletic expenditures" means:

(A) All direct and indirect expenses, prorated if necessary, including salaries;

(B) All fringe benefits such as medical and dental insurance, workers' compensation, pension plans, tuition waivers, and any other cost associated with recruitment and retention of staff;

(C) Travel;

(D) Equipment;

(E) Scholarships;

(F) Meals;

(G) Housing and dormitory supplies;

(H) Supplies;

(I) Property and medical insurance;

(J) Medical expenses;

(K) Utilities; and

(L) Maintenance of facilities related to all intercollegiate teams and spirit groups, excluding bands; and

(3) "Athletic program" means intercollegiate athletics.

History. Acts 1991, No. 366, § 2; 1997, No. 954, § 1.

6-62-803. Limits on funding.

(a) Beginning in fiscal year 1991-1992, the amount of unrestricted educational and general funds for intercollegiate athletic programs at state-supported institutions of higher education shall be limited to four hundred fifty thousand dollars (\$450,000) at four-year institutions and to fifty-one dollars (\$51.00) per full-time-equivalent student per year at two-year branches of four-year institutions and at other two-year institutions of higher education.

(b)(1) Beginning in fiscal year 1997-1998, state-supported four-year institutions of higher education may use an additional three hundred thousand dollars (\$300,000) per fiscal year of unrestricted educational and general funds to provide gender equity in intercollegiate athletic programs.

(2) Two-year branches of the four-year institutions and other two-year institutions of higher education may use an additional amount of unrestricted educational and general funds for providing gender equity in intercollegiate athletic programs in the amount of thirty-four dollars (\$34.00) per full-time-equivalent student per year.

History. Acts 1991, No. 366, § 3; 1997, No. 954, § 2.

6-62-804. Deficits — Assessment of student athletic fee.

(a) Any athletic deficit of an institution shall be funded by a student athletic fee authorized by the board of trustees of each institution.

(b) The student athletic fee shall be assessed on the basis of student semester credit hour and shall be clearly defined in all publications and institutional board minutes as being for the support of intercollegiate athletics, separate and distinct from other tuition or student activity fees.

History. Acts 1991, No. 366, § 4.

6-62-805. Certification by board of trustees.

The board of trustees of each institution shall certify annually by June 15 of each year to the Arkansas Higher Education Coordinating Board:

(1) That the intercollegiate athletic program will generate sufficient revenue through athletic-generated revenue, other auxiliary profits, other coordinating board-approved revenue sources, and the allowable state support as set out in § 6-62-803; or

(2) That any athletic deficit will be met by separate institutional board-sanctioned student athletic fees within the limitations established in this subchapter.

History. Acts 1991, No. 366, § 5.

6-62-806. Regulations — Nondiscriminatory application.

(a) The Arkansas Higher Education Coordinating Board is authorized to promulgate any rules or regulations necessary for the implementation of this subchapter.

(b) The provisions of this subchapter shall not be implemented in such a way as to discriminate against women's athletic programs.

History. Acts 1991, No. 366, §§ 6, 7.

6-62-807. Reporting expenditures.

In accordance with the uniform reporting and auditing of intercollegiate athletic expenditures of state-supported institutions of higher education, maintenance of facilities expenditures related to all intercollegiate teams and spirit groups, excluding bands, shall be reported as actual costs of operating such athletic facilities or a proration of actual costs based on athletic usage.

History. Acts 1999, No. 1180, § 37.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-62-801 — 6-62-806

may not apply to this section which was enacted subsequently.

Acts 2001, No. 1612, § 29, provided: "In

accordance with the uniform reporting and auditing of intercollegiate athletic expenditures of state-supported institutions of higher education, maintenance of facilities expenditures related to all intercollegiate teams and spirit groups, excluding bands, shall be reported as actual costs of

operating such athletic facilities or a pro-
ration of actual costs based on athletic
usage.

“The provisions of this section shall be
in effect only from July 1, 2001 through
June 30, 2003.”

SUBCHAPTER 9 — ARKANSAS TUITION TRUST AUTHORITY

SECTION.
6-62-901 — 6-62-911. [Repealed.]

6-62-901 — 6-62-911. [Repealed.]

Publisher’s Notes. This subchapter
was repealed by Acts 1999, No. 996, § 14.
The subchapter was derived from the fol-
lowing sources:
6-62-901. Acts 1993, No. 1222, § 1;
1997, No. 861, § 1.
6-62-902. Acts 1993, No. 1222, § 1.
6-62-903. Acts 1993, No. 1222, § 1;
1997, No. 250, § 27; 1997, No. 861, § 3;
1997, No. 1354, § 8.

6-62-904. Acts 1993, No. 1222, § 1.
6-62-905. Acts 1993, No. 1222, § 1.
6-62-906. Acts 1993, No. 1222, § 1;
1997, No. 861, § 2.
6-62-907. Acts 1993, No. 1222, § 1.
6-62-908. Acts 1993, No. 1222, § 1.
6-62-909. Acts 1993, No. 1222, § 1.
6-62-910. Acts 1993, No. 1222, § 1.
6-62-911. Acts 1993, No. 1222, § 1.

SUBCHAPTER 10 — WORKERS’ COMPENSATION INSURANCE

SECTION.
6-62-1001. Coverage required.
6-62-1002. Election to provide self-funded
coverage.
6-62-1003. Private, municipal, or self-
funded coverage.

SECTION.
6-62-1004. Election to provide coverage
through Public Employee
Claims Division.

Effective Dates. Acts 1997, No. 1202,
§ 8: July 1, 1997. Emergency clause pro-
vided: “It is found and determined by the
General Assembly of the State of Arkan-
sas that this act requires all two-year and
four-year public institutions of higher ed-
ucation to provide workers’ compensation
for their employees; and that it is in the

best interest of the employees shall be-
come effective on July 1, 1997. Therefore,
an emergency is declared to exist and this
act being immediately necessary for the
preservation of the public peace, health
and safety shall become effective July 1,
1997.”

6-62-1001. Coverage required.

- (a) All two-year and four-year public institutions of higher education shall be required to provide workers’ compensation coverage for their employees.
- (b) Coverage shall be provided for losses incurred while performing work for the two-year or four-year public institution of higher educa-
tion.

History. Acts 1997, No. 1202, § 1.

6-62-1002. Election to provide self-funded coverage.

(a) Claims incurred on and after the effective date that a public institution of higher education elects to provide self-funded coverage under this subchapter shall be the responsibility of the two-year or four-year public institution of higher education.

(b) Claims incurred prior to the effective date that a public institution of higher education elects to provide self-funded coverage under this subchapter shall become the responsibility of the two-year or four-year public institution of higher education, and the workers' compensation trust fund maintained for each institution by the Department of Finance and Administration shall be paid to the institution by the Public Employee Claims Division on the effective date of the election.

(c) The division shall assist and provide necessary records to institutions making an election under this subchapter or to their designees.

History. Acts 1997, No. 1202, § 2.

6-62-1003. Private, municipal, or self-funded coverage.

(a) Two-year and four-year public institutions of higher education may provide workers' compensation coverage through private carriers, municipal self-funding groups, or one (1) or more self-funded entities or groups.

(b) Self-funding groups established for this purpose shall meet the following requirements:

(1) Any group established to provide coverage to public institutions of higher education only shall offer coverage to any two-year or four-year public institution of higher education in the state that applies for coverage;

(2)(A) Any group established to provide workers' compensation coverage to public institutions of higher education shall offer coverage at rates promulgated by the Workers' Compensation Commission.

(B) Premiums for public institutions of higher education participating in any group shall be revised annually based on the loss experience of the particular institution of higher education or group of public institutions of higher education.

(C) Each board governing a self-funding group shall be permitted to declare dividends or to give credits against renewal premiums based on annual loss experience and subject to commission approval;

(3) Any self-funding group of participating public institutions of higher education shall be subject to the regulations of the commission applicable to self-insured groups or providers;

(4)(A) All self-funded groups shall obtain excess reinsurance from an admitted or approved insurance company doing business in Arkansas.

(B) In lieu of the reinsurance requirements in subdivision (b)(4)(i) of this section, any self-funded group under this section with one million five hundred thousand dollars (\$1,500,000) or more in annually collected premiums may provide excess reserves of twenty percent (20%) of annual premiums by any one (1) of the following ways:

- (i) Cash or certificates of deposit in Arkansas banks; or
- (ii) Letters of credit from an Arkansas bank; and

(5) Two-year and four-year public institutions of higher education shall not be required to enter into an indemnity agreement binding them jointly and severally.

History. Acts 1997, No. 1202, § 3.

6-62-1004. Election to provide coverage through Public Employee Claims Division.

Nothing in this subchapter shall require two-year or four-year public institutions of higher education to provide workers' compensation coverage through one (1) or more self-funded entities or groups, and an institution may elect to provide coverage through the Public Employee Claims Division in the same manner as do other state agencies.

History. Acts 1997, No. 1202, § 4.

CHAPTER 63

EMPLOYEES OF STATE INSTITUTIONS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. HIGHER EDUCATION EMPLOYEE CLASSIFICATION AND COMPENSATION ACT. [REPEALED.]
3. HIGHER EDUCATION EXPENDITURE RESTRICTION ACT.
4. FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS.
5. REQUIREMENT OF FACULTY INSTRUCTION IN PUBLIC SCHOOLS.
6. CATASTROPHIC LEAVE BANK PROGRAM.

A.C.R.C. Notes. Acts 1995, No. 1270, § 1, provided: "It is hereby found and determined by the General Assembly that limited growth of state financial support for colleges and universities requires that special care and consideration be given to increasing the efficiency and effectiveness of campus operations; that although public colleges and universities have made great progress in developing measures which reward institutions for increased productivity and in providing for a smooth transition of students who transfer from two-year institutions to four-year institutions, concern remains among members of

the General Assembly regarding the effectiveness of the evaluations given tenured and untenured faculty members each year; and that it would be very beneficial to the General Assembly in carrying out its responsibility to the people to have greater assurance from the presidents and chancellors of the public supported universities and colleges that those institutions pursue a fair but rigorous process of evaluating tenured and untenured faculty members on a regular basis. It is therefore the intent and purpose of this act to require the presidents and chancellors of the state supported universities

and colleges in the state, in cooperation with the Department of Higher Education, to develop and implement a thorough and rigorous procedure or process for evaluating tenured and untenured faculty members at the respective institutions."

Acts 1995, No. 1270, § 2, as amended by Acts 1997, No. 112, § 34, provided: "Section 2. The presidents and chancellors of the public supported universities and colleges in the state in cooperation with the Department of Higher Education shall develop a procedure or process for making a thorough and rigorous evaluation of tenured and untenured faculty members at the several public supported universities and colleges in the state and file a written description of the evaluation procedure or process with the Joint Interim Committee on Education prior to December 1, 1995. The House and Senate Interim Committees on Education shall re-

view the evaluation procedure or process. If the House and Senate Interim Committees on Education find the evaluation procedure or process as filed is satisfactory, they shall so notify the Department of Higher Education and the various presidents and chancellors. If the committees find the procedure or process so submitted to be unsatisfactory, it shall advise the Department of Higher Education and the presidents and chancellors of the several public supported colleges and universities of such finding and advise them in what respects the committees find the procedure or process to be unsatisfactory. If the procedure or process is found to be unsatisfactory, the presidents and chancellors in cooperation with the Department of Higher Education shall revise the procedure or process and resubmit it to the House and Senate Interim Committees on Education no later than July 1, 1996."

RESEARCH REFERENCES

Am. Jur. 15A Am. Jur. 2d, Colleges & U., § 9 et seq.

C.J.S. 14A C.J.S., Colleges & U., § 19 et seq.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-63-101. Authority for teachers to wear religious clothing.
6-63-102. Deductions for group insurance premiums.

SECTION.

- 6-63-103. Affirmative action programs — Plans — Annual reports.
6-63-104. Faculty performance review.

Effective Dates. Acts 1951, No. 37, §§ 3, 4: Feb. 2, 1951. Emergency clause provided: "Section 3. Whereas, many of the institutions of higher learning of this state have been unable to provide group insurance for the members of their staffs because of the fact that payments for same cannot be withheld by agreement with the employees, this act is necessary for the preservation of the peace, health, and safety of the people of the State of Arkansas."

"Section 4. An emergency is hereby declared to exist and this act shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby

found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety

shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during

which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-63-101. Authority for teachers to wear religious clothing.

No person shall be prohibited from teaching in state institutions of higher learning for the reason that the person wears the clothing of any established and recognized religion while teaching.

History. Acts 1973, No. 196, § 1; A.S.A. 1947, § 80-1261.

Publisher's Notes. Acts 1973, No. 196, § 1, is also codified as § 6-17-108.

6-63-102. Deductions for group insurance premiums.

For the purpose of payment of group insurance policy premiums, upon the execution by any teacher or other school employee of an appropriate form of authorization and delivery thereof to the fiscal officer of the state college or university wherein that person is employed, the fiscal officer shall withhold the designated amount from that person's monthly salary payments and shall transmit the amount, on or before the tenth day of each succeeding month, to the insurance company named in the authorization.

History. Acts 1949, No. 316, § 1; 1951, No. 37, § 1; A.S.A. 1947, § 80-1324.

316, § 1, as amended, is also codified as § 6-17-804.

Publisher's Notes. Acts 1949, No.

6-63-103. Affirmative action programs — Plans — Annual reports.

(a) All state-supported colleges and universities shall prepare an affirmative action program for the recruitment of blacks and other members of minorities for faculty and staff positions and for enrollment as students. Affirmative action plans shall be prepared on a continuing basis for future five-year periods.

(b) Each state-supported college and university shall annually prepare a report on the steps that have been taken to reach the goals of the plan. The report shall include information on the progress made by the institutions for the various levels of employment within the institution.

(c) Copies of each institution's five-year plan and annual reports shall be filed with the Governor, the Department of Higher Education, the president and board of trustees of the institution, the board of visitors of the institution, if applicable, and the House Interim Committee on Education and the Senate Interim Committee on Education.

(d) In carrying out the affirmative action plans, each institution shall provide for a part-time or full-time employee to assist the institution in

the recruitment of blacks and other members of minorities for faculty and staff positions and for enrollment as students.

History. Acts 1989, No. 99, § 1; 1997, No. 112, § 21.

6-63-104. Faculty performance review.

(a) The president and chancellor of each state-supported institution of higher education in Arkansas shall work with the campus faculties to develop a framework to review faculty performance, including post-tenure review. The framework should be used to develop processes and procedures at each institution to ensure a consistently high level of performance of the faculty at Arkansas' publicly supported institutions of higher education. The effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or to increase productivity, and correcting instances of substandard performance. The framework developed by each institution shall be reported to the House Interim Committee on Education and the Senate Interim Committee on Education, the Joint Interim Oversight Committee on Education Reform, and the Department of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001.

(b) Pursuant to subsection (a) of this section, each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job tenure. The evaluation by students and administrative staff, shall be applicable to all teaching faculty, full-time, part-time, and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. This review shall not be used to demote a tenured faculty member to a nontenured status.

(c)(1) Each college and university shall continually make efforts to identify any English fluency deficiencies of the teaching faculty and shall take reasonable measures to assist deficient faculty members in becoming proficient in English; however, the responsibility of acquiring the level of English proficiency required for the faculty member's teaching, research, or service assignments rests with the faculty member.

(2) Each college and university shall have a process for addressing concerns raised by students concerning language proficiency problems of faculty members.

(d) The department shall be responsible for monitoring the evaluation process and shall report its findings to the Arkansas Higher Education Coordinating Board and to the Legislative Council by August 1 of each year.

(e) Each state-supported institution of higher education shall require full-time faculty members of the college of education and related disciplines to work collaboratively with the accredited public schools in this state, and such faculty involvement shall be included as part of the annual review of the faculty as required by subsection (b) of this section.

History. Acts 1997, No. 1330, § 1; 1999, No. 477, § 2; 1999, No. 1360, § 1.

A.C.R.C. Notes. As amended by Acts 1999, No. 1360, subsection (a) also provided: "The framework developed by each institution shall be reported to the House and Senate Interim Committees on Education, the Joint Interim Oversight Committee on Higher Education Reform, and the State Department of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001."

Acts 1999, No. 477, § 2, provided: "(a) The president and chancellor of each state-supported institution of higher education in Arkansas shall work with the campus faculties to develop a framework to review faculty performance, including post tenure review. The framework should be used to develop processes and procedures at each institution to ensure a consistently high level of performance of the faculty at Arkansas' publicly supported institutions of higher education. The effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or to increase productivity, and to correct instances of substandard performance. The framework developed by each institution shall be reported to the House and Senate Interim Committees on Education, the Joint Interim Oversight Committee on Higher Education Reform, and the State Department of Higher Education no later than December 1, 1998, and shall be implemented on the respective campuses no later than January 1, 2001.

"(b) Pursuant to subsection (a) of this section, each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job retention. The evaluation by students shall be applicable to all teaching faculty, full-time, part-time and graduate teaching assistants and shall include an assessment of the fluency in English of the faculty member or graduate teaching assistant. This review shall not be used to demote a tenured faculty member to a non-tenured status.

"(c) The Department of Higher Education shall be responsible for monitoring the evaluation process and shall report its findings to the Arkansas Higher Education Coordinating Board each biennium.

"(d) Each state-supported institution of higher education shall require full-time faculty members of the college of education to work collaboratively with the accredited public schools in this state, and such faculty involvement shall be included as part of the annual review of the faculty as required by subsection (b) of this section."

Amendments. The 1999 amendment by No. 1360, which superseded the amendment by No. 477, added (b)-(e); and made stylistic changes.

SUBCHAPTER 2 — HIGHER EDUCATION EMPLOYEE CLASSIFICATION AND COMPENSATION ACT

SECTION.

6-63-201 — 6-63-216. [Repealed.]

6-63-201 — 6-63-216. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1989, No. 793, § 18. The subchapter was derived from the following sources:

6-63-201. Acts 1977, No. 410, § 1; A.S.A. 1947, § 80-4701.

6-63-202. Acts 1977, No. 410, § 2; A.S.A. 1947, § 80-4702.

6-63-203. Acts 1977, No. 410, § 3; 1981, No. 581, § 1; 1985, No. 832, § 1; A.S.A. 1947, § 80-4703.

6-63-204. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 4; A.S.A. 1947, § 80-4707.

6-63-205. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 4; A.S.A. 1947, § 80-4707.

6-63-206. Acts 1977, No. 410, § 6; 1979, No. 957, § 3; 1981, No. 598, § 4; 1985, No. 832, § 3; A.S.A. 1947, § 80-4706.

6-63-207. Acts 1977, No. 410, § 4; 1979, No. 957, § 1; 1981, No. 598, § 2; 1983, No. 896, §§ 1, 2; 1985, No. 832, § 2; A.S.A. 1947, § 80-4704.

6-63-208. Acts 1985, No. 832, § 9; A.S.A. 1947, § 80-4710.

6-63-209. Acts 1977, No. 410, §§ 3, 7;

1979, No. 957, § 4; 1981, No. 598, § 1; 1985, No. 832, §§ 1, 7; A.S.A. 1947, §§ 80-4703, 80-4707.

6-63-210. Acts 1977, No. 410, § 5; 1979, No. 957, § 2; 1981, No. 598, § 3; A.S.A. 1947, § 80-4705.

6-63-211. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 7; A.S.A. 1947, § 80-4707.

6-63-212. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 6; A.S.A. 1947, § 80-4707.

6-63-213. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; 1985, No. 832, § 5; A.S.A. 1947, § 80-4707.

6-63-214. Acts 1977, No. 410, § 7; 1985, No. 832, § 7; A.S.A. 1947, § 80-4707.

6-63-215. Acts 1977, No. 410, § 8; A.S.A. 1947, § 80-4708.

6-63-216. Acts 1977, No. 410, § 7; 1979, No. 957, § 4; 1981, No. 598, § 5; A.S.A. 1947, § 80-4707.

For present law, see §§ 24-7-101, 24-7-102.

Cross References. Retirement of Employees of Schools and Educational Institutions, § 24-7-101 et seq.

SUBCHAPTER 3 — HIGHER EDUCATION EXPENDITURE RESTRICTION ACT

SECTION.

6-63-301. Title.

6-63-302. Applicability of subchapter — Other fiscal laws not superseded.

6-63-303. Nine-month and part-time employees — Maximum annual salary.

6-63-304. Payroll deductions and promotional items.

6-63-305. New or additional positions.

6-63-306. Additional compensation for additional duties.

6-63-307. Salary restrictions — Penalties.

6-63-308. Overtime for classified positions — Limitations.

SECTION.

6-63-309. Academic personnel recruitment — Exceptions to maximum salary levels — Conditions — Reports.

6-63-310. Reorganization and consolidation of administrative functions — Authorized transfers.

6-63-311. Special authorization and contracts — National Center for Toxicological Research.

6-63-312. Contingency appropriations — Transfers and reports.

6-63-313. [Repealed.]

6-63-314. Extra help restrictions.

6-63-315. Adjunct and visiting professors.

Publisher's Notes. References to "this subchapter" in §§ 6-63-301 — 6-63-313 may not apply to §§ 6-63-314 and 6-63-315 which were enacted subsequently.

Effective Dates. Acts 1985, No. 287,

§ 3: Mar. 8, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that institutions of higher education should be allowed to pay in twelve (12) monthly installments

the salaries of their nine-month employees and part-time employees; that many such employees desire the twelve (12) equal monthly installments; and that until this Act becomes effective such employees will be unreasonably burdened. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1989, No. 402, § 7: approved Mar. 8, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly that current State accounting and budgetary procedures cause considerable expense to and place undo restrictions on Institutions of Higher Education; that the recovery of general revenue fund balances from the Vocational Technical Schools and the State Scholarship Assistance Grants Program restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1989, (3rd Ex. Sess.), No. 25, § 4: Nov. 6, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, meeting in Third Extraordinary Session that current State limitation on line-item maximum salaries cause considerable difficulty in recruiting and retaining exceptionally well-qualified academic personnel and place undue restrictions on Institutions of Higher Education, and these conditions restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after November 15, 1989."

Acts 1989 (3rd Ex. Sess.), No. 42, § 5: Nov. 15, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, meeting in Third Extraordinary Session that current State limitation on line-

item maximum salaries cause considerable difficulty in recruiting and retaining exceptionally well-qualified academic personnel and place undue restrictions on Institutions of Higher Education, and these conditions restrict educational opportunities for the citizens of this State; and that the provisions of this Act will remedy such situations. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after November 15, 1989."

Acts 1991, No. 1089, § 8: July 1, 1991. Emergency clause provided: "It is hereby found and determined by the Seventy-Eighth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991."

Acts 1993, No. 823, § 9: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1995, No. 70, § 9: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and that the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1995, No. 1164, § 8: July 1, 1995. Emergency clause provided: "It is hereby

found and determined by the Eightieth General Assembly that changes in various accounting and expenditure provisions of the State are necessary in order to promote efficiency; and the provisions of this Act provide such changes. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1999, No. 664, § 4: Mar. 17, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly of the State of Arkansas that increases and clarification of new or additional positions at the various institutions of higher education are needed for the efficient and effective operations of the institutions. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective

on the date the last house overrides the veto."

Acts 2001, No. 739, § 4: July 1, 2001. Emergency clause provided: "It is found and determined by the General Assembly that various changes in law are needed for the institutions of higher education including the authorization of additional positions due to additional funds received other than general revenue for various programs and additional vehicles to maintain efficient operations of campuses. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on July 1, 2001."

Acts 2003, No. 1460, § 2: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that various changes in law are needed for the institutions of higher education including the authorization of additional positions due to additional funds received other than general revenue for various programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

6-63-301. Title.

This subchapter shall be cited and referred to as the "Higher Education Expenditure Restriction Act".

History. Acts 1983, No. 147, § 1; A.S.A. 1947, § 80-5601.

6-63-302. Applicability of subchapter — Other fiscal laws not superseded.

The provisions of this subchapter shall be applicable to all publicly supported institutions of higher education in this state and shall not supersede the provisions of the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq., the Uniform Classification and Compensation Act, § 21-5-201 et seq., the Arkansas Procurement Law, § 19-11-201 et seq., or other fiscal control laws of this state, and their successors.

History. Acts 1983, No. 147, § 2; A.S.A. 1947, § 80-5602.

6-63-303. Nine-month and part-time employees — Maximum annual salary.

(a)(1) The maximum annual salary established for any position established as a nine-month educational and general academic position in the regular salaries section of the biennial operations appropriation act of any institution of higher education is declared to be the maximum annual salary for a nine-month contract, at a rate of pay not to exceed one-ninth ($\frac{1}{9}$) of the maximum authorized salary during any one (1) month.

(2) The employee's contract or subsequent contract may exceed nine (9) months, and the maximum annual salary authorized for such position may be exceeded by not more than one-ninth ($\frac{1}{9}$) of the maximum annual salary for each additional month or part thereof contracted.

(3) However, when a faculty member is assigned overload teaching responsibilities, as defined by the Arkansas Higher Education Coordinating Board, an amount in excess of one-ninth ($\frac{1}{9}$) of the maximum annual salary may be paid during any one (1) month if the applicable maximum authorized salary is not exceeded by more than ten percent (10%).

(b) For those positions identified as part-time in the biennial appropriations act for operations of any institution of higher education, payment may be made in one (1) or more payments each semester or term with the total of all payments made during a fiscal year not to exceed the applicable maximum authorized salary.

(c)(1) Any institution of higher education may, at the option of its board of trustees, enter into contracts for the hiring of nine-month and part-time employees to provide payment of annual salaries on the basis of twelve (12) equal monthly installments.

(2) In no case shall the monthly installments under such contracts commence earlier than the first day of the month in which the employee begins work.

History. Acts 1983, No. 147, § 5; 1985, No. 287, § 1; 1985, No. 845, § 3; A.S.A. 1947, §§ 80-5605, 80-5605.1.

6-63-304. Payroll deductions and promotional items.

(a)(1)(A) The governing board for each institution of higher education may permit deductions from the payrolls of the institution's employees for contributions to the various institutional fundraising, foundations, and capital campaigns of the institutions and its entities when authorized by such employees.

(B) Provided further, that the contributions shall be strictly voluntary and in no instance shall the institutions coerce or intimidate their employees to make such contributions.

(2)(A) In addition to other payroll deductions authorized by law, the governing board for each institution of higher education may permit

deductions from the payrolls of the institution's employees for tuition, fees, or such other items as the governing board shall approve.

(B) No such deduction shall be allowed unless authorized in writing by the employee.

(b) The Chief Fiscal Officer of the State shall establish for each requesting postsecondary educational institution a special appropriation line item to be used in the acquisition of promotional items. When an institution wishes to transfer moneys from its operating expenses appropriation to the promotional items line, the board of trustees shall approve the request and forward it to the Chief Fiscal Officer of the State for processing.

History. Acts 1993, No. 823, § 1; 1995, No. 1164, § 2.

Publisher's Notes. Former § 6-63-304, concerning graduate assistants, was

repealed by Acts 1987, No. 646, § 5. The former section was derived from Acts 1983, No. 147, § 9; A.S.A. 1947, § 80-5609.

6-63-305. New or additional positions.

(a)(1)(A) In the event that additional federal funds, grants, gifts, or collections become available that were not authorized or contemplated at the time of the passage of the biennial appropriation act for operations for each institution enumerated in subsection (b) of this section, that such new funds make it possible for the recipient institution to engage in educational projects that would be of benefit to the State of Arkansas, and that such projects would make it necessary to employ additional personnel, the president of the recipient institution, upon authorization by the appropriate board of trustees and after review and approval by the Office of Personnel Management and the Legislative Council of the requested classifications or maximum annual salaries set out in dollars, may establish such positions, as necessary.

(B) The source of funding for positions established under this subsection (a) shall be reported to the office and the Legislative Council by the institution at the time of the request.

(C) Determining the number of persons to be employed by a state agency is the prerogative of the General Assembly and is usually accomplished by delineating the maximum number of persons by identifying the job titles and the maximum grades or salaries attached to them. The General Assembly has determined that the institutions of higher education could be operated more efficiently if some flexibility were given to the institutions. That flexibility is being accomplished by providing new or additional positions in subsection (b) of this section, and since the General Assembly has granted the institutions broad powers under the new or additional position concept, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the new or additional positions by requiring prior approval of the Legislative Council in the utilization of the new or additional positions. Therefore, the

requirement of approval by the Legislative Council is not a severable part of this section. If the requirement of approval by the Legislative Council is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(2) The Director of the Office of Personnel Management shall report all such approvals to the Legislative Council in the month following approval and shall certify all additional positions established under the provisions of this subsection (a) to the Director of the Department of Finance and Administration and the Auditor of State.

(b) The following maximum number of new additional positions is established for the biennium for the following institutions of higher education at salary rates not to exceed the salary rate of comparable positions established in the regular salaries section of the biennial appropriations act for operations for each institution:

<u>Institution</u>	<u>Maximum Number of Additional Positions</u>
(1) Arkansas State University	200
(2) Arkansas State University — Mountain Home	40
(3) Arkansas State University — Beebe	80
(4) Arkansas State University — Newport	60
(5) Arkansas Tech University	65
(6) [Repealed.]	
(7) Black River Technical College	40
(8) Cossatot Community College of the University of Arkansas	50
(9) East Arkansas Community College	40
(10) National Park Community College	40
(11) Henderson State University	60
(12) Mid-South Community College	40
(13) Arkansas Northeastern College	50
(14) North Arkansas College	40
(15) Northwest Arkansas Community College	40
(16) Ouachita Technical College	40
(17) Ozarka College	46
(18) University of Arkansas Community College at Morrilton	40
(19) Phillips Community College of the University of Arkansas	40
(20) Pulaski Technical College	40
(21) Rich Mountain Community College	40
(22) South Arkansas Community College	40
(23) Southeast Arkansas College	40
(24) Southern Arkansas University	40

<u>Institution</u>	<u>Maximum Number of Additional Positions</u>
(25) SAU-Tech	40
(26) University of Arkansas — Fayetteville	450
(27) University of Arkansas — Exp. Stations	250
(28) University of Arkansas — Cooperative Extension Service	250
(29) University of Arkansas — Archaeological Survey	150
(30) University of Arkansas — Criminal Justice Institute	250
(31) University of Arkansas — Little Rock	300
(32) University of Arkansas — Medical Sciences	1,000
(33) University of Arkansas — Monticello	50
(34) University of Arkansas — Pine Bluff	100
(35) University of Arkansas Community College at Batesville	40
(36) University of Arkansas Community College at Hope	40
(37) University of Central Arkansas	50
(38) University of Arkansas at Fort Smith	40

History. Acts 1983, No. 147, § 4; 1985, No. 845, § 1; A.S.A. 1947, § 80-5604; Acts 1989, No. 36, § 1; 1991, No. 1089, § 1; 1993, No. 823, § 2; 1995, No. 70, § 1; 1995, No. 1164, §§ 1, 3; 1999, No. 664, § 1; 2001, No. 739, § 1; 2003, No. 1460, § 1.

A.C.R.C. Notes. Pursuant to § 1-2-207, this section is set out above as amended by Acts 1995, No. 1164. Subsection (b) of this section was also amended

by Acts 1995, No. 70, § 1, to read as follows: “(b) The following maximum number of new additional positions is established for the biennium for the following institutions of higher education, at salary rates not to exceed the salary rate of comparable positions established in the regular salaries section of the biennial appropriations act for operations for each institution:

<u>“Institution</u>	<u>Maximum Number of Additional Positions</u>
Arkansas State University	100
Arkansas State University — Beebe	50
Arkansas State University — Mountain Home	20
Arkansas Tech University	40
ATU — Mining & Minerals Resources Research Inst.	15
Black River Technical College	20
Cossatot Technical College	20
East Arkansas Community College	20
Garland County Community College	20
Gateway Technical College	20

<u>"Institution</u>	<u>Maximum Number of Additional Positions</u>
Henderson State University	40
Mid-South Community College	20
Mississippi County Community College	40
North Arkansas Community/Technical College	40
North West Arkansas Community College	20
Ouachita Technical College	20
Ozarka Technical College	20
Petit Jean Technical College	20
Phillips County Community College	20
Pines Technical College	20
Pulaski Technical College	20
Red River Technical College	20
Rich Mountain Community College	20
South Arkansas Community College	40
Southern Arkansas University	40
SAU — Tech	30
University of Arkansas — Fayetteville	250
University of Arkansas — Exp. Stations	250
University of Arkansas — Archeological Survey	150
University of Arkansas — Little Rock	250
University of Arkansas — Medical Sciences	250
University of Arkansas — Monticello	50
University of Arkansas — Pine Bluff	50
University of Central Arkansas	50
Westark Community College	30"

Amendments. The 1999 amendment inserted "and the Legislative Council" in (a)(1)(A); rewrote (a)(1)(C); rewrote the additional positions table; and made stylistic changes.

The 2001 amendment added the subdivision designations in (b); substituted "50" for "40" in (b)(8); substituted "250" for "150" in (b)(28) and (b)(30); substituted "300" for "250" in (b)(31); and substituted "350" for "250" in (b)(32).

The 2003 amendment substituted "80" for "50" in (b)(3); substituted "65" for "50" in (b)(5); repealed (b)(6); substituted

"Cossatot Community College of the University of Arkansas" for "Cossatot Technical College" in (b)(8); substituted "National Park Community College" for "Garland County Community College" in (b)(10); substituted "60" for "50" in (b)(11); rewrote (b)(13) and (17); substituted "University of Arkansas Community College at Morrilton" for "Petit Jean College" in (b)(18); substituted "450" for "400" in (b)(26); substituted "1,000" for "350" in (b)(32); and substituted "University of Arkansas at Fort Smith" for "Westark College" in (b)(38).

6-63-306. Additional compensation for additional duties.

The state-supported institutions of higher education may pay additional compensation to classified employees for the performance of additional duties assigned to them at non-job-related institution-sanctioned events, provided that those additional duties are performed at times other than normal working hours.

History. Acts 1983, No. 147, § 11; A.S.A. 1947, § 80-5611.

6-63-307. Salary restrictions — Penalties.

(a) No employee drawing a salary or other form of compensation from an institution of higher education shall be paid an additional salary or receive additional compensation other than reimbursement for actual expenses from that institution or from any other agency or institution of higher education except upon written certification to and approval by the Chief Fiscal Officer of the State and by the head of each agency or institution that the work performed by the employee for the other agency or institution of higher education does not interfere with the proper and required performance of the employee's primary duties and that the combined salary payments from both agencies or institutions of higher education will not exceed the larger maximum annual salary of the line item position authorized for either agency from which the employee is to be paid.

(b) Any employee knowingly violating the provisions of this section shall be subject to immediate termination and shall be barred from employment by any agency or institution of the State of Arkansas for a period of not less than three (3) years or until the employee shall repay to the state any sums received by the employee in violation of this section, together with interest at a rate of ten percent (10%) per annum.

(c) Any compensation received by an employee for participation in a noncredit seminar, conference, or convention sponsored by an institution of higher education that is paid from funds generated by the seminar, conference, or convention shall be excluded from the maximum salary restrictions provided for in § 6-63-303 and the salary restrictions provided for in this section.

History. Acts 1983, No. 147, § 7; A.S.A. 1947, § 80-5607; Acts 1989 (3rd Ex. Sess.), No. 42, § 2; 2001, No. 1191, § 1.

Publisher's Notes. Acts 1989 (3rd Ex. Sess.), No. 42, § 3, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget

manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

Amendments. The 2001 amendment substituted "an employee" for "a faculty member" in (c); and made minor stylistic changes throughout.

Cross References. Salary restrictions for persons working for more than one state agency or institution, § 19-4-1604.

6-63-308. Overtime for classified positions — Limitations.

(a) The institutions of higher education are authorized to pay overtime, in critical circumstances, to those employees occupying the

positions enumerated in their biennial operations appropriation acts under the heading "classified positions".

(b)(1) In no event, however, shall the total of all overtime payments for any institution except the University of Arkansas for Medical Sciences, also known as UAMS, exceed in any one (1) fiscal year an amount equal to two percent (2%) of the expenditures in the immediately preceding fiscal year for regular salaries for such institution.

(2) The total of all overtime payments for the UAMS shall not exceed in any one (1) fiscal year, an amount equal to three percent (3%) of the expenditures of the UAMS in the immediately preceding fiscal year for regular salaries.

History. Acts 1983, No. 147, § 3;
A.S.A. 1947, § 80-5603.

Cross References. Overtime pay for
state employees, § 19-4-1612.

6-63-309. Academic personnel recruitment — Exceptions to maximum salary levels — Conditions — Reports.

(a) In order that exceptionally well-qualified academic personnel may be recruited and retained, each state-supported institution of higher education may exceed the maximum salary levels by no more than twenty-five percent (25%) for no more than ten percent (10%) of the positions authorized in its biennial operations appropriation act as president, chancellor, academic dean, division head or chair, department chair, distinguished professor, university professor, professor, associate professor, assistant professor, instructor, extension specialist IV, extension specialist III, extension specialist II, extension specialist I, county extension agent-chairman II, or county extension agent-chairman I.

(b) Within the ten percent (10%) limitation provided herein, the University of Arkansas for Medical Sciences may include no more than one (1) area health education center executive director, six (6) area health education center area directors, six (6) family practice coordinators, six (6) associate family practice coordinators, and six (6) assistant family practice coordinators.

(c) In order that exceptionally well-qualified non-academic, non-classified personnel may be recruited and retained, each state-supported institution of higher education may exceed the maximum salary levels by no more than twenty-five percent (25%) for no more than six percent (6%) of the positions authorized in its biennial operations appropriation act for non-academic, non-classified personnel, provided that amounts paid in excess of the maximum salary levels for the personnel shall not exceed two and six-tenths percent (2.6%) of the aggregate appropriated for the personnel costs during the preceding fiscal year for the institution.

(d) Subsection (c) of this section shall not apply to athletic directors and coaches.

History. Acts 1983, No. 147, § 10; A.S.A. 1947, § 80-5610; Acts 1989, No. 402, § 2; 1989 (3rd Ex. Sess.), No. 25, § 1; 1989 (3rd Ex. Sess.), No. 42, § 1; 1991, No. 1089, § 2; 1995, No. 70, § 2; 2001, No. 1404, § 1.

Publisher's Notes. Acts 1989, No. 402, § 5, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative

Council or Joint Budget Committee which relate to its passage and adoption."

Acts 1989 (3rd Ex. Sess.), No. 25, § 3, and No. 42, § 3, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

Amendments. The 2001 amendment added (c) and (d).

6-63-310. Reorganization and consolidation of administrative functions — Authorized transfers.

(a) Upon determination by the President of the University of Arkansas that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the University of Arkansas is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of the University of Arkansas, may have the authority to transfer positions and related funds between campuses, divisions, and other budgetary units of the university.

(b)(1) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.

(2) The reallocation of resources through consolidation or reorganization may include the Graduate Institute of Technology, provided that the appropriated funds or positions for this program shall not be transferred from the central Arkansas area.

(3) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council.

History. Acts 1983, No. 147, § 15, as added by Acts 1985, No. 845, § 2; A.S.A. 1947, § 80-5615.

6-63-311. Special authorization and contracts — National Center for Toxicological Research.

(a) The boards of trustees of the University of Arkansas and Arkansas State University, after seeking the advice of the Legislative Council, may make a special allowance available, in such amounts as the boards may determine are justified and equitable in view of the complexities of

the duties and in consideration of the competence of individual scientists, as part of the compensation of scientists employed by the University of Arkansas or Arkansas State University in connection with any contract entered into between the University of Arkansas or Arkansas State University and the United States Government or any of its departments or agencies for conducting research and educational programs connected with the National Center for Toxicological Research at Pine Bluff, if:

(1) All of the compensation is paid from funds received by the University of Arkansas or Arkansas State University under terms of the contract; and

(2)(A) The special allowance for any scientist and related personnel employed by the University of Arkansas for Medical Sciences shall not exceed an amount equal to one and one-half (1½) that portion of his or her salary which could be paid from state funds if he or she were employed in a similar position, but unrelated to the National Center for Toxicological Research at Pine Bluff; and

(B) The special allowance for any scientist and related personnel employed by the other participating institutions shall not exceed an amount equal to that portion of his or her salary which could be paid from state funds if he or she were employed in a similar position, but unrelated to the National Center for Toxicological Research at Pine Bluff; and

(3) The Department of Higher Education will be notified of when and in what amount the special allowance will be paid prior to activation of the special allowance.

(b) In no event shall the boards of trustees of the University of Arkansas or Arkansas State University authorize or make special allowances, as provided for in this section, for more than twenty-five (25) scientist positions for the University of Arkansas for Medical Sciences nor more than ten (10) scientist positions for each of the other participating institutions.

(c) Furthermore, the gross salaries to be received by each of the scientists referred to above shall be limited to a maximum of seventy-three thousand four hundred sixty dollars (\$73,460) from all sources for each fiscal year of the biennium.

History. Acts 1983, No. 147, § 13, as added by Acts 1985, No. 845, § 2; A.S.A. 1947, § 80-5613.

6-63-312. Contingency appropriations — Transfers and reports.

(a) Upon approval by the Department of Higher Education and the Chief Fiscal Officer of the State, institutions of higher education may transfer appropriation from the contingency appropriation to any other appropriation made to the institution from cash funds.

(b) The department shall report monthly to the Legislative Council these appropriation transfers, and the report shall include, by institution, the amounts transferred and the reasons therefor.

History. Acts 1983, No. 147, § 8; A.S.A. 1947, § 80-5608.

6-63-313. [Repealed.]

Publisher's Notes. This section, concerning reporting requirements, was repealed by Acts 1999, No. 476, § 1. The

section was derived from Acts 1983, No. 147, § 6; A.S.A. 1947, § 80-5606.

6-63-314. Extra help restrictions.

No employee of an institution of higher education who is employed as extra help may be employed for a period of time to exceed fifteen hundred (1500) hours per year.

History. Acts 1991, No. 1089, § 3.

Publisher's Notes. References to "this subchapter" in §§ 6-63-301 — 6-63-

313 may not apply to this section which was enacted subsequently.

6-63-315. Adjunct and visiting professors.

Institutions of higher education shall be exempt from the provisions of § 19-4-1707 [repealed] to the extent that they shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the institution of higher education does not exceed twenty-five percent (25%) of that required for a full-time employee.

History. Acts 1991, No. 1089, § 3.

Publisher's Notes. References to "this subchapter" in §§ 6-63-301 — 6-63-

313 may not apply to this section which was enacted subsequently.

SUBCHAPTER 4 — FACULTY/ADMINISTRATOR DEVELOPMENT FELLOWS

SECTION.

- 6-63-401. Purpose.
- 6-63-402. Establishment.
- 6-63-403. Administration — Authority of department.
- 6-63-404. Matching funds.
- 6-63-405. Limitations.
- 6-63-406. Eligibility and qualifications generally.
- 6-63-407. Levels of support.
- 6-63-408. Current faculty, administrator, and other employee participants.

SECTION.

- 6-63-409. Alumni participants.
- 6-63-410. Written contract required.
- 6-63-411. Duration — Distribution of funds.
- 6-63-412. Renewal.
- 6-63-413. Postfellowship employment.
- 6-63-414. Termination of fellowship or employment.
- 6-63-415. Repayment.

6-63-401. Purpose.

There are significantly lower percentages of faculty members and administrators than students who are in a racial minority at Arkansas

state institutions of higher education. It is difficult for Arkansas state institutions of higher education to employ senior faculty and administrative employees who are in a racial minority, and there are severe shortages of financial aid for individuals pursuing doctoral degrees as full-time resident students. It is the purpose of this subchapter to assist state institutions of higher education in increasing the academic qualifications of minority faculty, administrative, and other employees and alumni through the establishment of the Faculty/Administrator Development Fellows program.

History. Acts 1985, No. 229, § 1;
A.S.A. 1947, § 80-4711.

6-63-402. Establishment.

There is established a program to be known as "Faculty/Administrator Development Fellows" to be administered by the Department of Higher Education.

History. Acts 1985, No. 229, § 2;
A.S.A. 1947, § 80-4712.

6-63-403. Administration — Authority of department.

The Department of Higher Education shall administer the matching portions of the Faculty/Administrator Development Fellows program as provided in this subchapter and shall have the following authority and responsibility with respect to the programs:

(1) To prepare application forms or such other forms as the department shall deem necessary to properly administer and carry out the purposes of this subchapter;

(2) To establish such rules, regulations, definitions, and procedures as are necessary and consistent with this subchapter and to establish and consult as necessary with an advisory committee in determining rules, regulations, definitions, and procedures for the administration of these programs;

(3) To select Faculty/Administrator Development Fellows from those persons nominated by the Arkansas state institutions of higher education pursuant to the provisions of this subchapter;

(4) To establish the procedures for payment of matching funds;

(5) To set one (1) or more termination dates for acceptance of nominations; and

(6) To determine numbers and amounts of fellowships under the program and to allocate matching funds for the fellowships so that expenditures will not exceed anticipated revenues and to determine such prorations as are necessary in the event that anticipated revenues do not materialize.

History. Acts 1985, No. 229, § 6;
A.S.A. 1947, § 80-4716.

6-63-404. Matching funds.

The matching funds provided by the Department of Higher Education for each Faculty/Administrator Development Fellow shall equal half of the fellowship budget as determined by the department unless anticipated state revenues do not materialize, thus necessitating proportional proration.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-405. Limitations.

No institution may have more than four (4) persons receiving payments as Faculty/Administrator Development Fellows at any one (1) time.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715; Acts 1993, No. 414, § 1.

6-63-406. Eligibility and qualifications generally.

(a) To qualify as a Faculty/Administrator Development Fellow, a person must be a member of a racial minority, a resident of Arkansas, and a citizen of the United States and be nominated by an Arkansas state institution of higher education and admitted to and enrolled as a full-time student in a doctoral program in a recognized institution of higher education.

(b) In determining a nominee's eligibility for a fellowship and in selecting fellowship recipients from among the qualified nominees, the Department of Higher Education shall consider:

- (1) Each nominee's academic ability;
- (2) The quality of the program the individual will enter;
- (3) The extent to which the nominee represents a racial minority underrepresented in the department or category of employment at the sponsoring institution;
- (4) The probability that the nominee will be advanced in full-time employment as a faculty member or administrator at the sponsoring institution;
- (5) The amount of time anticipated for completion of the doctoral program; and
- (6) The relative costs of the fellowship for each nominee.

(c) A Faculty/Administrator Development Fellow must enroll in a regionally accredited institution in a sound and recognized doctoral program which has specialized accreditation if such specialized accreditation is appropriate.

(d) During the period that an individual is receiving the fellowship, he or she shall not be employed or accept payment for services rendered to any other employer. The individual may accept tuition and fee

waivers, grants, scholarships, or other awards that do not constitute payment for services rendered.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

Cross References. Minorities in Arkansas Act of 2001, § 1-2-501 et seq.

6-63-407. Levels of support.

The Faculty/Administrator Development Fellow program shall provide different levels of support for current employees and alumni who are not current employees with appropriate different requirements and provisions for the two (2) types of fellows.

History. Acts 1985, No. 229, § 2;
A.S.A. 1947, § 80-4712.

6-63-408. Current faculty, administrator, and other employee participants.

(a)(1) The Department of Higher Education shall provide matching funds to assist Arkansas state institutions of higher education in funding the assignment of selected faculty, administrators, and other employees who are in a racial minority to full-time, in-residence doctoral study at other institutions of higher education as Faculty/Administrator Development Fellows.

(2) During the time of assignment as a Faculty/Administrator Development Fellow, a current employee shall remain a full-time employee of the institution eligible for payment of salary and other fringe benefits provided by the institution for other employees.

(b) For a current employee to qualify as a Faculty/Administrator Development Fellow, the person must be a full-time employee of the sponsoring institution for two (2) years prior to beginning study as a fellow, under contract to return to the sponsoring institution as a full-time employee for three (3) academic years immediately upon the completion of study under the fellowship, and meet the additional requirements outlined in § 6-63-406(a).

(c)(1) Upon selection of a current employee as a Faculty/Administrator Development Fellow by the department, the sponsoring institution is authorized to make regular salary payments to the individual and to provide the individual with other fringe benefits provided by the institution for other employees.

(2) In the event the assignment of an employee to full-time resident doctoral study results in the need for a position for an employee to perform the duties previously performed by the fellow, the institution is authorized to establish an appropriate regular salary-provisional position under the provisions of § 6-63-305 and such legislation as may amend or supersede that section.

(d) Institutional salary payments to a fellow who is a current employee shall be on a biweekly, monthly, or other basis as is customary for salary payments at the sponsoring institution as long as the

individual continues to meet the requirements for the fellowship and is making satisfactory progress toward completion of the doctoral program for which the fellowship was granted.

(e) For the period of the fellowship, the salary paid a current employee selected as a Faculty/Administrator Development Fellow shall be at or above the salary earned prior to the fellowship.

(f) A Faculty/Administrator Development Fellow who is a current employee shall be responsible for tuition, fees, and all other costs related to his or her program of study.

History. Acts 1985, No. 229, § 3;
A.S.A. 1947, § 80-4713.

6-63-409. Alumni participants.

(a)(1) The Department of Higher Education shall provide matching funds to assist Arkansas state institutions of higher education in funding the granting of fellowships to undergraduate or graduate alumni of the institutions who represent a racial minority and hold unusual promise for doctoral study and development into desirable faculty or administrators.

(2) The fellowship award to alumni shall include a stipend comparable to the higher stipends at the institution to be attended plus tuition, fees, and books.

(b) For an alumnus to qualify as a Faculty/Administrator Development Fellow, the person must be an alumnus of the sponsoring institution and under contract to return to the sponsoring institution as a full-time employee for two (2) academic years immediately upon the end of study under the fellowship and meet the additional requirements outlined in § 6-63-406(a).

(c)(1) Upon selection of an alumnus as a Faculty/Administrator Development Fellow by the department, the sponsoring institution is authorized to make regular fellowship payments to the individual even though the individual will not then be an employee of the institution.

(2) Payment of the amount allocated for each semester or term for a fellow who is an alumnus shall be made so that the portion for tuition and fees is paid near the beginning of the semester or term and the stipend portion is paid in equal monthly portions.

History. Acts 1985, No. 229, § 4;
A.S.A. 1947, § 80-4714.

6-63-410. Written contract required.

For each period that an individual is designated as a Faculty/Administrator Development Fellow, there must be a formal, written, signed contract between the fellow and the sponsoring institution specifying the terms of his or her fellowship and containing the requirement that the individual shall return to the sponsoring institution for the required

period of full-time employment immediately following the end of study under the fellowship.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-411. Duration — Distribution of funds.

Faculty/Administrator Development Fellows may be designated for one (1) academic year, but matching funds shall be equally allocated by the Department of Higher Education on a semester, trimester, or other reasonable academic calendar equivalent basis.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-412. Renewal.

Faculty/Administrator Development Fellows designations may be renewed annually for a total of no more than three (3) years of graduate study if the fellow maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale, continues to meet other requirements of this subchapter, and is making satisfactory progress in the doctoral program for which the fellowship was awarded.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-413. Postfellowship employment.

For the period of required full-time employment immediately after the fellowship, the salary paid the individual shall be the same as or above the salaries paid others who did not receive the fellowship but have similar qualifications and responsibilities at the sponsoring institution.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-414. Termination of fellowship or employment.

Nothing contained in this subchapter shall limit the sponsoring institution's right to terminate a person's fellowship or employment during either the period of the fellowship or the three-year period of employment following the fellowship.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

6-63-415. Repayment.

(a)(1) If a Faculty/Administrator Development Fellow does not return to the sponsoring institution or does not complete the required

period of full-time employment immediately following the fellowship, the person shall repay a proportion of the full value of the fellowship equal to the proportion of the full-time employment obligation which the individual has not fulfilled.

(2) In such an event, it shall be the responsibility of the sponsoring institution to collect the repayment due and refund the collected matching portion of the fellowship to the Department of Higher Education.

(b) If the employment or payment of a fellowship to a Faculty/Administrator Development Fellow is terminated by the sponsoring institution during either the fellowship period or the required period of service, the individual is not responsible for repayment of the value of the fellowship.

History. Acts 1985, No. 229, § 5;
A.S.A. 1947, § 80-4715.

SUBCHAPTER 5 — REQUIREMENT OF FACULTY INSTRUCTION IN PUBLIC SCHOOLS

SECTION.

6-63-501. [Repealed.]

6-63-502. Participation in Education Fac-

ulty Involvement Program
— Eligibility.

6-63-501. [Repealed.]

Publisher's Notes. This section, concerning the purpose, review, and report, was repealed by Acts 1999, No. 477, § 3.

The section was derived from Acts 1991, No. 981, § 1; 1997, No. 112, § 22. For present law, see § 6-63-104.

6-63-502. Participation in Education Faculty Involvement Program — Eligibility.

(a) All public school districts shall assist through participation in the Education Faculty Involvement Program when requested.

(b)(1) Any certified person employed by a school district who has credentials acceptable to a publicly supported institution of higher education may serve as adjunct clinical faculty at the institution so long as the national accreditation of the institution is not jeopardized.

(2) Exemplary teachers may be selected by the school and college faculty as adjunct clinical faculty in the colleges of education upon approval of the school district.

(3) Teachers with experience in restructuring schools and outstanding teachers in mathematics and science shall be given special consideration for placement as adjunct clinical faculty by the school and college faculty.

History. Acts 1991, No. 981, § 2.

SUBCHAPTER 6 — CATASTROPHIC LEAVE BANK PROGRAM

SECTION.

6-63-601. Definitions.

6-63-602. Administration.

Effective Dates. Acts 1999, No. 1176, § 8: Apr. 7, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly that under the current law relating to the catastrophic leave program for state agency employees and for full-time employees of state institutions of higher education, catastrophic illness is defined as a medical condition of an employee only and does not include medical conditions of members of the employee's immediate family; that many times it is necessary that an employee miss work to care for a seriously ill member of the employee's immediate family; that if the employee has exhausted his or her accrued annual and sick leave and is not permitted to benefit from the catastrophic leave program he or she may suffer a substantial loss of income and serious hardship; that this act is designed to expand the term "catastrophic illness" as used in the law

which establishes the catastrophic leave bank program to include catastrophic illness of a spouse or parent of an employee or of a child of the employee which may be claimed as a dependent under the Arkansas Income Tax Act of 1929 and should be given effect immediately to avoid serious hardship to certain employees of state agencies and of state-supported institutions of higher education. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-63-601. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Catastrophic illness" means a medical condition, as certified by a physician, of an employee or of the spouse or parent of the employee or of a child of the employee who may be claimed as a dependent under the Income Tax Act of 1929, § 26-51-101 et seq., which requires an employee's absence from duty for a prolonged period of time and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave;

(2) "Catastrophic leave" means leave granted to an employee as a result of a catastrophic illness, upon the employee's exhausting of all sick and annual leave;

(3) "Catastrophic leave bank" means a pool of accrued annual leave donated by employees; and

(4) "Employees" means nonfaculty nonclassified personnel employed by a state institution of higher education.

History. Acts 1993, No. 441, § 1; 1999, No. 1176, § 1.

Amendments. The 1999 amendment, in (1), inserted "or of the spouse or parent

of the employee or of a child of the employee who may be claimed as a dependent under the Income Tax Act of 1929, § 26-51-101 et seq., which" and substi-

tuted "except for the catastrophic leave program, would result" for "results"; and made stylistic changes.

6-63-602. Administration.

(a)(1) The Department of Finance and Administration shall have administrative responsibility for developing, implementing, and maintaining a catastrophic leave bank program for nonfaculty benefits-eligible, full-time employees of the state institutions of higher education.

(2) Each state institution of higher education may participate in the catastrophic leave bank authorized by this section and administered by the Office of Personnel Management, or the institution may establish a catastrophic leave bank for its employees.

(b) Accrued annual leave and sick leave of employees may be donated to a catastrophic leave bank.

(c) Catastrophic leave with pay may be granted to an employee when such employee is unable to perform his or her duties due to a catastrophic illness.

(d) An employee may be eligible for catastrophic leave when:

(1) The employee has been employed by the state institution of higher education for more than two (2) years;

(2) An acceptable medical certificate from a physician supporting the continued absence is on file; and

(3) The employee has not been disciplined for any leave abuse during the past two (2) years.

(e) If the illness or injury is that of an employee and is covered by workers' compensation, the compensation based on catastrophic leave when combined with the weekly workers' compensation benefit received by the employee shall not exceed the compensation being received by the employee at the onset of the illness or injury.

(f) The Director of the Department of Finance and Administration or his or her designee shall promulgate necessary rules and regulations as deemed necessary to carry out the provisions of this section.

(g) Nothing in this subchapter shall be construed to repeal in any way the exclusion of nonclassified employees of state-supported institutions of higher learning under the Uniform Attendance and Leave Policy Act, § 21-4-201 et seq.

History. Acts 1993, No. 441, § 2; 1999, No. 1176, § 2.

Amendments. The 1999 amendment substituted "benefits-eligible, full-time employees of the state" for "nonclassified personnel employed by the state" in (a); substituted "employee is unable to perform his or her duties" for "employee is

incapacitated from the performance of the employee's duties" in (c); deleted former (d)(2) and (d)(3) and redesignated the remaining subdivisions accordingly; inserted present (e) and redesignated former (e) and (f) as present (f) and (g); and made stylistic changes.

CHAPTER 64

UNIVERSITY OF ARKANSAS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. BOARD OF TRUSTEES.
3. CAMPUSES ESTABLISHED.
4. MEDICAL DEPARTMENT GENERALLY.
5. STATE MEDICAL CENTER — ADMISSION OF PATIENTS.
6. SCHOOL OF LAW.
7. AGRICULTURAL EXPERIMENT STATIONS.
8. GRADUATE INSTITUTE OF TECHNOLOGY.
9. CENTER FOR RESEARCH, EDUCATION AND TECHNICAL EXTENSION, AND GRADUATE EDUCATION.
10. FINANCES.
11. COLLEGE OF INFORMATION SCIENCE AND SYSTEMS ENGINEERING.

Publisher's Notes. Acts 1899, No. 155, § 4, p. 282, changed the name of the Arkansas Industrial University to the University of Arkansas.

Cross References. Ethics and Conflicts of Interest, § 21-8-101 et seq.

CASE NOTES

Immunity From Suit.

As an instrumentality of the State of Arkansas, the University of Arkansas and its officials are entitled to Eleventh Amendment immunity from damage claims brought under 42 U.S.C. § 1983.

Assaad-Faltas v. University of Ark. for Medical Sciences, 708 F. Supp. 1026 (E.D. Ark. 1989), *aff'd*, 902 F.2d 1572 (8th Cir.), *cert. denied*, 498 U.S. 905, 111 S. Ct. 271, 112 L. Ed. 2d 227 (1990).

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-64-101. Courses of study.
- 6-64-102. Real estate research and education programs.
- 6-64-103. Marketing News Reporting Program.
- 6-64-104. Radio broadcasts of football and basketball games.
- 6-64-105. Free transportation.

SECTION.

- 6-64-106. College of Agriculture — Service on boards or commissions.
- 6-64-107, 6-64-108. [Repealed.]
- 6-64-109. Housing allowance for chaplain.
- 6-64-110. Housing allowance.
- 6-64-111. Allowance in lieu of housing.

A.C.R.C. Notes. Acts 1991, No. 849, § 13, provided: "The University of Arkansas shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting ser-

vices to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas does not exceed 25% of that required for a full-time employee."

Preambles. Acts 1977, No. 76 contained a preamble which read: "Whereas, Act 454 of 1973 charged the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission with the responsibility of administering the Market News Reporting Service and authorized the Commission to establish a Market News Reporting Program in cooperation with the U.S. Department of Agriculture; and

"Whereas, the Market News Reporting Service is primarily an informational and educational service and is a service which could more appropriately be maintained by the University of Arkansas Cooperative Extension Service;

"Now, therefore..."

Effective Dates. Acts 1887, No. 95, § 17: effective on passage.

Acts 1911, No. 83, § 6: effective on passage.

Acts 1913, No. 224, § 11: approved Mar. 29, 1913. Emergency declared.

Acts 1975, No. 338, § 5: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1975."

Acts 1975, No. 341, § 5: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the

effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1975."

Acts 1977, No. 76, § 4: Jan. 31, 1977. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Market News Reporting Service which is currently being administered under the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission is primarily an informational and educational program which is more compatible with the service goals of the University of Arkansas Cooperative Extension Service; that it is the purpose and intent of this act to transfer the authority and responsibility for administering the Market News Reporting Program to the University of Arkansas Cooperative Extension Service and that this transfer of authority and responsibility should be effected at the beginning of the 1977-78 fiscal year, and that in order to assure that this act will become effective on or before July 1, 1977, it is essential that an emergency be declared. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1979, No. 1031, § 5: July 1, 1979. Emergency clause provided: "It is hereby found and determined by the Seventy-Second General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1979, is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1979, could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the

public peace, health and safety shall be in full force and effect from and after July 1, 1979.”

Acts 1981, No. 599, § 1: Mar. 19, 1981. Emergency clause provided: “It is hereby found and determined by the General Assembly that the athletic programs of the University of Arkansas are conducted by an official and public agency of this State, and that discrimination in access to the radio broadcast rights to any football or basketball game by the Athletic Department of the University of Arkansas is contrary to the public interest, and is detrimental to the public support and the rights of the people of this State to enjoy the benefits of radio broadcasts of said games, and, that the immediate passage of this Act is necessary to clarify and prohibit the Athletic Department of the University of Arkansas from granting exclusive rights to only one or more radio broadcasting stations to broadcast such games, and to require that the broadcasting of such games be made available in accordance with uniform standards, fees and regulations to all radio broadcasting firms in this State, and that the immediate passage of this Act is necessary to clarify said problem. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1995, No. 1099, § 33: July 1, 1995. Emergency clause provided: “It is hereby

found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995.”

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkansas that this act includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003.”

6-64-101. Courses of study.

The course of study in the University of Arkansas shall embrace agricultural chemistry, animal and plant anatomy and physiology, the application of science and the mechanic arts to practical agriculture in the field, veterinary arts, entomology, rural and household economy and horticulture, practical mechanic arts as taught in the workshops, the English language and literature, mathematics, civil engineering, philosophy, history, and bookkeeping, military tactics, and such other branches of study as the Board of Trustees of the University of Arkansas may prescribe.

History. Acts 1887, No. 95, § 6, p. 178; § 9544; Pope’s Dig., § 13165; A.S.A. 1947, 1891, No. 83, § 3, p. 151; C. & M. Dig., § 80-2826.

CASE NOTES

Immunity From Suit.

The University of Arkansas for Medical Sciences (UAMS) is the name of a campus which is a part of the University of Arkansas, an institution of higher education established under Arkansas law. UAMS is not a separate institution or a corporate body which has the capacity to sue or be

sued. *Assaad-Faltas v. University of Ark. for Medical Sciences*, 708 F. Supp. 1026 (E.D. Ark. 1989), *aff'd*, 902 F.2d 1572 (8th Cir.), *cert. denied*, 498 U.S. 905, 111 S. Ct. 271, 112 L. Ed. 2d 227 (1990).

Cited: *Murphy v. Morris*, 200 Ark. 932, 141 S.W.2d 518 (1940).

6-64-102. Real estate research and education programs.

(a) There is authorized and shall be conducted at the University of Arkansas at Little Rock a research and education program in real estate, to be known as the H. Clyde Buchanan Chair of Real Estate.

(b) There is established and shall be conducted at the University of Arkansas at Fayetteville a research and educational program in real estate, to be known as the Verdon M. Bennett Chair of Real Estate.

History. Acts 1975, No. 338, § 1; 1975, No. 341, § 1; 1979, No. 1031, § 1; A.S.A. 1947, §§ 80-2884.1, 80-2894.

6-64-103. Marketing News Reporting Program.

The University of Arkansas Cooperative Extension Service is authorized to establish and maintain the Market News Reporting Program in cooperation with the United States Department of Agriculture.

History. Acts 1977, No. 76, § 1; A.S.A. 1947, § 80-2860.1.

Publisher's Notes. Acts 1957, No. 425, § 1, authorized the University of Arkansas to enter into cooperative agreements with the United States of America, acting through the Production and Marketing Administration of the United States Department of Agriculture, or such agency as was prescribed by the United States Congress, for the establishment of and main-

tenance of a market news program on livestock in and for the State of Arkansas. Acts 1977, No. 76, § 1, in part, transferred, effective July 1, 1977, the authority and responsibility for administering the Market News Reporting Service from the Livestock Marketing Division of the Arkansas Livestock and Poultry Commission to the University of Arkansas Cooperative Extension Service.

6-64-104. Radio broadcasts of football and basketball games.

(a) Unless otherwise prohibited or limited by Southeastern Conference rules, the University of Arkansas Athletic Department shall make available for radio broadcasts all football and basketball games of the University of Arkansas under uniform arrangements for the right to radio broadcast the games as may be provided by the department.

(b) However, no discrimination shall be made against any licensed radio broadcasting station in this state with respect to the access to and the rights to radio broadcast football or basketball games in accordance with a schedule of fees, standards, and regulations promulgated by the department making these broadcasts accessible and available to each

Arkansas radio broadcasting station that desires to broadcast these games.

History. Acts 1981, No. 599, § 1; A.S.A. 1947, § 80-2895; Acts 2003, No. 1473, § 13.

Amendments. The 2003 amendment substituted “southeastern” for ‘South-

west” and “department” for “Athletic Department” in (a); and substituted “department” for “University of Arkansas Athletic Department” in (b).

6-64-105. Free transportation.

The president, the professor of secondary education, and members of the faculty of the College of Agriculture may accept free transportation over all railroads in the state.

History. Acts 1913, No. 224, § 7; C. & M. Dig., § 9538; Pope’s Dig., § 13152; A.S.A. 1947, § 80-2825.

Cross References. Legislature to prevent by law free transportation of state employees, Ark. Const., Art. 17, § 7.

6-64-106. College of Agriculture — Service on boards or commissions.

(a) No person employed by the college may serve as a voting member of any board or commission which regulates activities in areas in which the College of Agriculture has responsibility for conducting research and extension programs.

(b) Such persons shall serve as ex officio members of such boards or commissions as required by statute.

(c) The college shall act in an advisory capacity to all such boards and commissions and is designated as the lead institution for such support.

(d) The Vice President for Agriculture, subject to approval by the President of the University of Arkansas System, shall determine the areas of responsibility of the college.

History. Acts 1995, No. 166, § 1.

Publisher’s Notes. Former § 6-64-106, concerning the baccalaureate degree

nursing program, was repealed by Acts 1991, No. 1101, § 28. The former section was derived from Acts 1987, No. 546, § 2.

6-64-107, 6-64-108. [Repealed.]

Publisher’s Notes. Former §§ 6-64-107, 6-64-108, concerning the housing allowance for the president and chancellor of the University of Arkansas and for the chancellor of The University of Arkansas for Medical Sciences, were repealed by

Acts 1999, No. 240, §§ 3, 4. The sections were derived from the following sources:

6-64-107. Acts 1991, No. 849, § 11.

6-64-108. Acts 1989 (1st Ex. Sess.), No. 278, § 15.

6-64-109. Housing allowance for chaplain.

The Chancellor of the University of Arkansas for Medical Sciences may designate up to forty-five per cent (45%) of the regular gross salary or stipend of a minister or other clergy employed as a chaplain or appointed as a chaplain resident as a housing allowance, to the extent

used by the person to rent or provide a home, according to the guidelines of the Internal Revenue Code, Section 107, and § 26-51-404(b)(10) of this Code.

History. Acts 1995, No. 1099, § 22.

A.C.R.C. Notes. Acts 2001, No. 1669, § 22, provided: "CHAPLAIN HOUSING ALLOWANCE. The Chancellor of the University of Arkansas for Medical Sciences may designate up to forty-five per cent (45%) of the regular gross salary (or stipend) of a minister or other clergy employed as a Chaplain or appointed as a Chaplain Resident, as a housing allowance, to the extent used by the person to rent or provide a home, according to the

guidelines of the Internal Revenue Service Code, Section 107 and the Arkansas Code 26-51-404(11).

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Publisher's Notes. This section was formerly codified as § 6-64-220.

U.S. Code. Section 107 of the Internal Revenue Code, referred to in this section, is codified as 26 U.S.C. § 107.

6-64-110. Housing allowance.

The proceeds from the sale of the state-owned home for the Chancellor of the University of Arkansas for Medical Sciences shall continue to be invested, and the earnings on the investment shall be used to defray the total cost of the housing allowance or as much as the investment earnings will provide, whichever is the lesser.

History. Acts 1999, No. 240, § 1.

Cross References. Housing allowance, § 6-62-108.

6-64-111. Allowance in lieu of housing.

Upon approval of the Board of Trustees of the University of Arkansas, the chancellors of the various two-year branch campuses of the University of Arkansas System may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1999, No. 240, § 2.

SUBCHAPTER 2 — BOARD OF TRUSTEES

SECTION.

- 6-64-201. Members — Meetings.
- 6-64-202. Board of Trustees of the University of Arkansas incorporated — Powers and authority.
- 6-64-203. Rules and regulations.
- 6-64-204. Charges brought against board or committee members, employees, etc. — Procedure.
- 6-64-205. Examinations by committee — Service of process.
- 6-64-206. Findings of examinations and

SECTION.

- inquiries reduced to writing.
- 6-64-207. President of the Board of Trustees of the University of Arkansas.
- 6-64-208. Faculty and assistants.
- 6-64-209. Leaves of absence of faculty.
- 6-64-210. Salaries and compensation of teachers and employees.
- 6-64-211. Financial officer.
- 6-64-212. Financial officer — Attendance at board meetings.
- 6-64-213. Purchasing Agent — Registrar.

SECTION.

- 6-64-214. Employment of relatives.
 6-64-215. Records and reports regarding students and teachers.
 6-64-216. Report as to expenditures.
 6-64-217. Annual report of agricultural

SECTION.

- and mechanical departments.
 6-64-218. Sale of donated land.
 6-64-219, 6-64-220. [Transferred.]

Preambles. Acts 1943, No. 272, contained a preamble which read: "Whereas, Amendment 33, voted on as Amendment 35, to the Constitution of the State of Arkansas, in effect and operation from and after January 15, 1943, provides that the term of office of the ten members of the Board of Trustees of the University of Arkansas shall be ten years, that such terms of office shall be arranged by the General Assembly to provide a membership with one term of office expiring every year from the effective date of the amendment and that the unexpired terms of members serving on the effective date of the amendment shall not be decreased,

"Therefore, in compliance with Amendment 33..."

Effective Dates. Acts 1871, No. 44, § 21: effective on passage.

Acts 1873, No. 33, § 4: effective on passage.

Acts 1887, No. 95, § 17: effective on passage.

Acts 1891, No. 83, § 6: effective on passage.

Acts 1903, No. 195, § 7: effective on passage.

Acts 1907, No. 87, § 2: effective on passage.

Acts 1909, No. 283, § 3: effective on passage.

Acts 1913, No. 224, § 11: approved Mar. 29, 1913. Emergency declared.

Acts 1915, No. 289, § 16: approved Mar. 27, 1915. Emergency declared.

Acts 1939, No. 9, § 3: Jan. 24, 1939. Emergency clause provided: "The General Assembly, realizing that there is no provision making it mandatory that former students of the University of Arkansas be represented on the Board of Trustees of said institution, and realizing that the activities of the University of Arkansas have been greatly increased during the past several years and that many of the subjects in the course of study are not represented on said Board, and knowing that the alumni of said institution are

more interested in said institution than those who have never attended the University, and believing that said alumni should at all times be represented on said Board of Trustees and have an active interest in the conduct, operation and management of said institution, hereby declares that an emergency exists, and this Act being necessary for the immediate preservation of the public peace, health and safety shall be effective immediately upon its adoption and approval."

Acts 1941, No. 302, § 3: approved Mar. 26, 1941. Emergency clause provided: "It is hereby found and declared that the Board of Trustees of the University of Arkansas should be free of political influence to the greatest extent possible, and to that end the Governor and the Superintendent of Public Instruction should not be members of said Board, ex officio or otherwise; that the Board of Trustees should begin immediately the shaping of the policies of the school year beginning in September next; that delay in the effective date of this Act would have a tendency to render uncertain the policies and actions of the Board, in conflict with the best interests of the institution; that the preservation of the public peace, health and safety demands that this Act take effect without delay; an emergency is therefore declared, and this Act shall take effect and be in force from and after its passage."

Acts 1943, No. 272, § 4: approved Mar. 18, 1943. Emergency clause provided: "It is hereby found and declared that delay in the effective date of this act would be contrary to the will of the people of the State of Arkansas as expressed by the vote on Amendment 33 adopted at the General Election November 3, 1942, and would be in conflict with the purpose of the Amendment and would have a tendency to render uncertain the policies and actions of the Board of Trustees of the University of Arkansas; that the Board of Trustees, as constituted under Amendment 33, should begin immediately the shaping of the pol-

icies of the school; that the preservation of the public peace, health and safety demands this act take effect without delay; therefore, an emergency is declared and this act shall take effect and be in force from and after its passage.”

Acts 1985, No. 464, § 5: Mar. 21, 1985. Emergency clause provided: “It is hereby found and determined by the General Assembly that there still exists an obsolete law prohibiting the employment at the University of Arkansas of persons related within the fourth degree of consanguinity to any member of the Board of Trustees; that such law no longer comports to the public policy of this State and should be immediately modified to avoid inequitable treatment of such persons; that this Act will eliminate the inequity and should therefore be given immediate effect. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.”

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: “It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.”

6-64-201. Members — Meetings.

(a) The Board of Trustees of the University of Arkansas shall consist of ten (10) members.

(b) The Governor shall appoint the trustees. These appointments shall be with the consent of the Senate, except as provided in Arkansas Constitution, Amendment 33, Section 5.

(c)(1) Two (2) members shall be appointed from each of the four (4) congressional districts in existence on January 1, 1997.

(2)(A) Two (2) members shall be appointed from the state at large.

(B) The two (2) at-large members shall not reside in the same congressional district.

(3) In case of an increase or decrease in the number of congressional districts in the state, the number of members appointed from the state at large shall be increased or decreased in a manner to assure equal representation on the board for each congressional district.

(4) The member or members of the board, if any, appointed from the state at large shall be alumni of the University of Arkansas.

(d) The term of office shall be ten (10) years.

(e) The trustees shall make and subscribe to an affidavit before entering upon their respective duties to faithfully, diligently, and impartially discharge the duties of their office.

(f)(1) The board, for any cause deemed sufficient by them, shall have power by a majority vote, taken at any meeting, to remove any member

from the board. However, no member shall be so removed unless as many as five (5) of the trustees vote for removal.

(2) When any member of the board is so removed, the votes of the trustees shall be recorded, and the president of the board shall make a certificate showing the result of the vote and transmit the certificate without delay to the Governor, who shall at once declare the commission which had been issued to the removed trustee vacated, and he or she shall appoint and commission some competent person to fill the vacancy so occasioned.

(g)(1) The annual meetings of the board shall be at the University Building on Monday of the last week of the commencement exercises of each year.

(2) The board shall elect a presiding officer.

(3) A lesser number than a quorum may adjourn from time to time.

(4) The board shall have the power to hold adjourned meetings when the business of the university actually requires it, or the president of the board may call a meeting of the board when he or she is satisfied that the interest of the university so requires or when five (5) members of the board petition him or her so to do.

(h) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1871, No. 44, § 12, p. 201; 1873, No. 33, § 1, p. 65; 1874 (Spec. Sess.), No. 31, § 4, p. 39; 1875, No. 109, § 1, p. 234; 1887, No. 95, §§ 1, 2, p. 178; 1891, No. 83, § 2, p. 151; 1907, No. 87, § 1, p. 192; C. & M. Dig., §§ 9518, 9519, 9523, 9527-9529, 9533; Pope's Dig., §§ 13137, 13138, 13142, 13146-13148, 13156; Acts 1939, No. 9, §§ 1, 2; 1941, No. 302, §§ 1, 2; 1943, No. 272, §§ 1, 2; A.S.A. 1947, §§ 80-2802 — 80-2807, 80-2810; Acts 1997, No. 250, § 28; 1997, No. 1140, § 1.

A.C.R.C. Notes. As amended by Acts 1997, No. 1140, subsection (c) also provided: "The members of the board in office on July 1, 1997, shall continue to serve their regular terms. As terms expire after that date, appointments to the board shall be made in such manner as to assure that

as soon as practicable the members of the board will represent the different areas of the state as required by this act. Provided, when the first term expires after July 1, 1997, the person appointed to the position shall be a resident of the Fourth Congressional District."

Publisher's Notes. There are currently four congressional districts. See A.C.R.C. Notes to T. 7, Ch. 2. See also § 25-16-801 and notes thereto.

The terms of the members of the Board of Trustees of the University of Arkansas are arranged so that one term expires on March 1 of every year.

Cross References. Meetings required to be held once during each quarterly period, § 25-17-208.

Compensation of state boards, § 25-16-901 et seq.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct. 109, 98 L. Ed. 80 (1953); *Jacobs v. Sharp*, 211 Ark. 865, 202 S.W.2d 964 (1947).

6-64-202. Board of Trustees of the University of Arkansas incorporated — Powers and authority.

The Board of Trustees of the University of Arkansas is made a body politic and corporate and shall have all the powers of a corporate body,

subject to the Constitution and laws of the State of Arkansas, and the board possesses all the power and authority possessed by the board of trustees of the university under laws existing on March 30, 1887.

History. Acts 1887, No. 95, § 2, p. 178; C. & M. Dig., § 9523; Pope's Dig., § 13142; A.S.A. 1947, § 80-2804.

Publisher's Notes. Acts 1891, No. 130, p. 219, accepted and assented to the provisions of, and all sums due and becoming due to the State of Arkansas, pursuant to, Act of Congress, Aug. 30, 1890, ch. 841, 26 Stat. at Large 417, codified as 7 U.S.C. §§ 321 — 326a, 328. It apportioned the sums, though such apportionment is probably unconstitutional as racially discrim-

inatory, and authorized the Treasurer of State to receive and pay out such sums on the orders of the Board of Trustees of the University of Arkansas.

Acts 1915, No. 289, § 7, authorized the College of Agriculture of the University of Arkansas to accept any sums coming due the state under the terms of and consented to the provisions of the Smith-Lever Agricultural Extension Act, codified as 7 U.S.C. §§ 341, 343.

CASE NOTES

Cited: *Jacobs v. Sharp*, 211 Ark. 865, 202 S.W.2d 964 (1947); *Lindsay v. White*, 212 Ark. 541, 206 S.W.2d 762 (1947); *Arkansas v. Texas*, 346 U.S. 368, 74 S. Ct.

109, 98 L. Ed. 80 (1953); *Cammack v. Chalmers*, 284 Ark. 161, 680 S.W.2d 689 (1984).

6-64-203. Rules and regulations.

The Board of Trustees of the University of Arkansas shall have power to prescribe all rules and regulations for the government and discipline of the University of Arkansas, subject to the provisions of this subchapter and such other acts of the General Assembly as may be prescribed.

History. Acts 1887, No. 95, § 4, p. 178; C. & M. Dig., § 9524; Pope's Dig., § 13143; A.S.A. 1947, § 80-2812.

RESEARCH REFERENCES

Ark. L. Rev. The Emerging Law of Students' Rights, 23 Ark. L. Rev. 619.

CASE NOTES

Cited: *Gay & Lesbian Students Ass'n v. Gohn*, 850 F.2d 361 (8th Cir. 1988).

6-64-204. Charges brought against board or committee members, employees, etc. — Procedure.

(a) The Board of Trustees of the University of Arkansas is fully empowered and authorized, either as a board or through any committee it may select or appoint, to inquire into and fully investigate any and all charges that have been or may be preferred against any trustee of the board or any member of any committee appointed by or under the direction of the board or any contractor, architect, builder, employee,

agent, or other person acting by agreement with, or authority of, or under the board or any of the committees of the board, in any capacity whatever.

(b) For the purposes of such investigations or inquiry, the board or any committee that may be appointed by it shall and may hold meetings in the state, at such time and place as may be designated by the board, or by a committee so appointed.

(c)(1) The chair of the executive committee of the board shall have full and ample power to issue all necessary process for summoning and compelling the attendance of witnesses before the board or committee and may impose upon all witnesses who refuse to obey such process, or to testify fully and explicitly before such board or committee, in reference to any and all such matters as may be the subject of inquiry, all the pains or penalties that might or could be imposed upon the witnesses by the circuit court, in any case, if a witness were to fail and refuse to appear and testify before the proper circuit court of his or her county in a cause or matter legally pending therein after being summoned to so appear and testify therein.

(2)(A) The process issued by the chair of the executive committee may be directed to any sheriff, coroner, or constable in this state.

(B) If the officer fails, neglects, or refuses to execute the process, he or she shall be subject to all the forfeitures, pains, and penalties which might or could be imposed upon him or her for failing, neglecting, or refusing to serve necessary or proper process from a circuit court in his or her own county. The fine, imprisonment, and penalties as can be so assessed shall be enforced and carried out upon the order of the chair of the executive committee.

(3) The chair shall be required to have no commission to so act, except as a member of the board, and a certificate of his or her election or appointment to such place by the board of trustees or the president of such board.

History. Acts 1873, No. 33, § 2, p. 65;
C. & M. Dig., § 9534; Pope's Dig.,
§ 13157; A.S.A. 1947, § 80-2808.

6-64-205. Examinations by committee — Service of process.

(a) Process under §§ 6-64-201(f) and 6-64-204 shall run in the name of the state.

(b) The officers and witnesses shall execute and obey the same without any advanced fees or compensation, and their accounts or claims for service, attendance, or other costs arising in such investigation shall be presented to the Board of Trustees of the University of Arkansas, and shall, through its president, order certificates issued upon their treasurer for reasonable compensation.

History. Acts 1873, No. 33, § 3, p. 65;
C. & M. Dig., § 9535; Pope's Dig.,
§ 13158; A.S.A. 1947, § 80-2809.

6-64-206. Findings of examinations and inquiries reduced to writing.

The material parts of all examinations and inquiries had by any committee shall be reduced to writing and laid before the Board of Trustees of the University of Arkansas for its action.

History. Acts 1873, No. 33, § 3, p. 65;
C. & M. Dig., § 9535; Pope's Dig.,
§ 13158; A.S.A. 1947, § 80-2809.

6-64-207. President of the Board of Trustees of the University of Arkansas.

The President of the Board of Trustees of the University of Arkansas shall attend meetings of the Board of Trustees of the University of Arkansas at such times and places as named and required in this subchapter and shall perform all such duties as are required in this subchapter or may be directed by the board, without salary or fees or any compensation whatsoever, except such as he or she receives for other services for the state.

History. Acts 1871, No. 44, § 12, p. 201; C. & M. Dig., § 9529; Pope's Dig., § 13148; A.S.A. 1947, § 80-2810; Acts 1997, No. 250, § 29.

Cross References. Compensation of state boards, § 25-16-901 et seq.

6-64-208. Faculty and assistants.

(a) The faculty of the University of Arkansas shall consist of a president and such professors as the Board of Trustees of the University of Arkansas may deem necessary, whose compensation shall be fixed by the board.

(b)(1) One (1) of the professors shall be styled the Superintendent of Agriculture, whose duty it shall be to supervise the agricultural department and to perform such other duties as may be necessary in order to impart a theoretical and practical knowledge of the science of agriculture to the students over whom he or she shall have control.

(2) One (1) of the professors shall be styled the Superintendent of Mechanic Arts, whose duty it shall be to supervise the mechanical department and to perform such other duties as may be necessary in order to impart to those under his or her care a theoretical and practical knowledge of the mechanic arts.

(c) The board may employ such assistants as it may deem necessary, whose compensation shall be fixed by the board.

(d) The manner of payment of all salaries shall be regulated by the board.

History. Acts 1887, No. 95, § 8, p. 178; § 9536; Pope's Dig., § 13159; A.S.A. 1947, 1891, No. 83, § 5, p. 151; C. & M. Dig., § 80-2823.

6-64-209. Leaves of absence of faculty.

(a) The matter of leaves of absence of the faculty shall rest with the Board of Trustees of the University of Arkansas.

(b) No person shall be entitled to any salary when on leave of absence, except when on university business.

History. Acts 1909, No. 283, § 2, p. 873; C. & M. Dig., § 9564; Pope's Dig., § 13150; A.S.A. 1947, § 80-2824.

6-64-210. Salaries and compensation of teachers and employees.

The Board of Trustees of the University of Arkansas shall fix and from time to time regulate the fees, allowances, salaries, and wages to be paid to architects, inspectors, professors, teachers, agents, committees, servants, or other necessary employees. It shall observe rigid economy in such expenditures and diligently discharge its duties according to law.

History. Acts 1871, No. 44, § 16, p. 201; C. & M. Dig., § 9530; Pope's Dig., § 13151; A.S.A. 1947, § 80-2813.

6-64-211. Financial officer.

(a) The Board of Trustees of the University of Arkansas at its meeting in June shall elect a financial officer for the University of Arkansas whose duty it shall be to perform all of the duties and services required of the secretary of the board and the treasurer of the university.

(b) He or she shall also keep in a well-bound book a true and correct record of the transactions of the board and shall also have the custody of all books and other property belonging to the board.

(c)(1) He or she shall also be auditor and bookkeeper of the university.

(2) As bookkeeper he or she shall keep a complete set of accounts in such manner as to afford a complete system of checking the funds and expenditures of the university and of its property.

(d) He or she shall keep accounts with the various appropriations for all purposes and make reports of them to the board and its officers showing the status of all appropriations.

(e) He or she shall collect all fees due the university for all purposes and keep and render accounts of the fees collected.

(f)(1) He or she shall audit all bills approved by officers authorized to spend any funds and shall issue his or her check in payment of these bills and shall file and preserve in his or her office all bills so paid and all checks issued in payment thereof.

(2) He or she shall pay no bills save by check.

(g) He or she shall give bond to the State of Arkansas for the faithful discharge of his or her duties in such sums as may be required by the board.

History. Acts 1913, No. 224, § 10; A.S.A. 1947, § 80-2821.

A.C.R.C. Notes. The operation of subsection (g) of this section was suspended by adoption of a self-insured fidelity bond program for public officers, officials and

employees, effective July 20, 1987, pursuant to § 21-2-701 et seq. The subsection may again become effective upon cessation of coverage under that program. See § 21-2-703.

6-64-212. Financial officer — Attendance at board meetings.

The financial officer shall attend meetings of the Board of Trustees of the University of Arkansas at such times and places as named and required in this subchapter and shall perform all such duties as are required in this subchapter or may be directed by the board, without salary or fees or any compensation whatsoever, except such as he or she receives for other services for the state.

History. Acts 1871, No. 44, § 12, p. 201; C. & M. Dig., § 9529; Pope's Dig., § 13148; A.S.A. 1947, § 80-2810.

6-64-213. Purchasing Agent — Registrar.

(a) The Board of Trustees of the University of Arkansas may employ a purchasing agent and registrar. Their salaries are to be paid out of the maintenance funds of the various departments of all the divisions of the University of Arkansas located at Fayetteville.

(b) The purchasing agent and registrar shall each give bond in the sum of ten thousand dollars (\$10,000) conditioned for the faithful performance of their duties and for the faithful accounting for all funds handled by them.

(c) All purchases for the university shall be made through this purchasing agent, and he or she shall obtain competitive bids wherever possible and practicable before making purchases.

(d) The purchasing agent shall perform such other duties as shall be required of him or her by the board.

History. Acts 1915, No. 289, § 8; C. & M. Dig., § 9553; Pope's Dig., § 13202; A.S.A. 1947, § 80-2822.

A.C.R.C. Notes. The operation of subsection (b) of this section was suspended by adoption of a self-insured fidelity bond program for public officers, officials and

employees, effective July 20, 1987, pursuant to § 21-2-701 et seq. The subsection may again become effective upon cessation of coverage under that program. See § 21-2-703.

Publisher's Notes. This section may be affected by § 19-11-201 et seq.

6-64-214. Employment of relatives.

(a) No person related by affinity or consanguinity within the first degree to any member of the Board of Trustees of the University of Arkansas shall be employed in the University of Arkansas in any

capacity. However, the provisions of this subsection shall not be applicable with respect to any person who is already employed by the university as of March 21, 1985, or at the time a relative becomes a member of the board, or to any student doing work at the university.

(b) The secretary of the board is prohibited from drawing a warrant in favor of any such relative and shall be liable on his or her bond for any violation of this provision. However, the provisions of this subsection shall not be applicable with respect to any person who is already employed by the university as of March 21, 1985, or at the time a relative becomes a member of the board.

History. Acts 1901, No. 164, § 5, p. 314; 1903, No. 195, § 5, p. 388; Pope's Dig., § 13153; Acts 1985, No. 464, §§ 1, 2; A.S.A. 1947, §§ 80-2819, 80-2820.

6-64-215. Records and reports regarding students and teachers.

(a) The Board of Trustees of the University of Arkansas shall keep or have kept a record showing:

- (1) The number of students enrolled;
- (2) The daily average attendance at classwork for each month and for the term;
- (3) The number of teachers employed and their salary;
- (4) The teachers' daily attendance on and absence from classwork; and
- (5) The number of hours the teacher is required to teach each day in each department.

(b) This record shall be open to any citizen at all reasonable hours.

(c) The board shall report to each session of the General Assembly the number of students enrolled, the daily average attendance on classwork for the month and for the term, the number of teachers employed and their salaries and the hours each is to teach each day, and their absence from and attendance on classwork.

(d) A failure to keep or have kept this record and to report to the General Assembly as provided in this section shall be a misdemeanor upon the part of each member of the board.

History. Acts 1913, No. 224, § 10; C. & M. Dig., §§ 9520-9522; Pope's Dig., §§ 13139-13141; A.S.A. 1947, §§ 80-2814 — 80-2816.

6-64-216. Report as to expenditures.

The Board of Trustees of the University of Arkansas shall make a report to the General Assembly, showing by items how each appropriation is expended.

History. Acts 1913, No. 224, § 8; C. & M. Dig., § 9532; Pope's Dig., § 13155; A.S.A. 1947, § 80-2817.

CASE NOTES

Cited: *Arkansas v. Texas*, 346 U.S. 368,
74 S. Ct. 109, 98 L. Ed. 80 (1953).

6-64-217. Annual report of agricultural and mechanical departments.

The Board of Trustees of the University of Arkansas shall cause to be made an annual report of the operation and conditions of the agricultural and mechanical departments of the University of Arkansas, which shall include:

(1) A statement of the number of acres in cultivation on the college farm, the kind of crops raised, and the number of acres of each kind;

(2) The manner of the preparation of the soil for the various crops, methods of seeding and planting, kind and variety of seeds, and manner of cultivation and of harvesting;

(3) The several kinds and descriptions of all implements used in the various stages of the different crops, with reports on their utility and adaptation for the purposes used;

(4) The time of preparation of the soil, sowing, planting, cultivating, and harvesting and a general statement of the weather and its influence upon the several crops;

(5) The kinds of fertilizers used and crops to which they were applied, the time and manner of application, and the several results;

(6) A detailed and systematic account of the number of days' work, of ten (10) working hours each, of men and teams in the production of each separately treated crop. The statement of labor is to be in three (3) divisions:

(A) Up to the time the seeds are deposited in the ground;

(B) During cultivation;

(C) While harvesting and preparing the crop for market;

(7) A full and accurate yield per acre, by weight or measure, of all crops raised on the farm, distinguishing between the several kinds of treatment as to fertilizers used and the depth of plowing, difference of cultivation, times of harvesting, and kinds or variety of seed used;

(8) Kind and quantity of machinery and tools used in the mechanical department, the kind and quality of the products of each shop or division of said department, and an approximate cost of production of each article manufactured.

History. Acts 1887, No. 95, § 10, p. 178; C. & M. Dig., § 9525; Pope's Dig., § 13144; A.S.A. 1947, § 80-2818.

6-64-218. Sale of donated land.

(a) The Board of Trustees of the University of Arkansas may sell any land donated to the University of Arkansas by individuals.

(b) When the purchase price is paid to the treasurer of the university, the president and secretary of the board shall execute a deed conveying the lands to the purchaser.

History. Acts 1901, No. 164, § 4, p. 314; C. & M. Dig., § 9526; Pope's Dig., § 13145; A.S.A. 1947, § 80-2811.

6-64-219, 6-64-220. [Transferred.]

A.C.R.C. Notes. Sections 6-64-219 and 6-64-220 have been renumbered as §§ 6-64-108 [repealed] and 6-64-109, respectively.

SUBCHAPTER 3 — CAMPUSES ESTABLISHED

SECTION.

6-64-301. Little Rock — Establishment.

6-64-302. Monticello — Establishment — Board of Visitors.

SECTION.

6-64-303. Pine Bluff — Establishment and programs.

6-64-304. Pine Bluff — Board of Visitors.

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-101 et seq.

Preambles. Acts 1969, No. 35 contained a preamble which read: "Whereas, the Board of Trustees of the University of Arkansas and the Board of Trustees of Little Rock University have made detailed studies and identified the proper scope of educational responsibilities for Central Arkansas, and have jointly concluded, as a matter of educational judgment, that imperative measures must be taken to satisfy the increasing demands for educational opportunity for the young people of Central Arkansas; and

"Whereas, to that end and purpose these Boards of Trustees have, after much deliberation, concluded an 'Agreement of Merger and Plan of Transition' which provides for the orderly merger of Little Rock University into the University of Arkansas; and

"Whereas, the 'Agreement of Merger and Plan of Transition' is conditioned upon the enactment by the General Assembly of a State appropriation for the purpose of operating the resulting University of Arkansas at Little Rock;

"Now, therefore...."

Acts 1971, No. 9 contained a preamble which read: "Whereas, the Board of Trustees of the University of Arkansas and the Board of Trustees of Arkansas Agricultural and Mechanical College have made detailed studies and identified the benefits which will accrue to the people of the State of Arkansas and to each of these educational endeavors from a merger by which the University of Arkansas would be the resulting institution and Arkansas Agricultural and Mechanical College would be consolidated therein, all as provided in Arkansas Constitution, Amendment 33; and,

"Whereas, these Boards have developed a plan of response which will produce a significant accrual of benefits and economies in order to serve, more effectively and efficiently, the needs of the State relative to educational opportunities for an increasing number of our young people in Southeast Arkansas, and to develop research and educational services on a coordinated basis as resources become available for the forest, petroleum and other industries, and for the agricultural economy all of which are prominent in Southeast Arkansas; and,

"Whereas, this plan, incorporated in an 'Agreement of Merger and Plan of Transition,' has been jointly developed and agreed to contingent upon the approval of the General Assembly by authorizing the

two existing institutions to merge, by transferring the appropriation of the merged institution, and by amending or repealing those statutes establishing and providing for Arkansas Agricultural and Mechanical College;

"Now, therefore"

Effective Dates. Acts 1969, No. 35, § 2; Feb. 2, 1969. Emergency clause provided: "It has been found and determined by the General Assembly that it is essential to the continued progress of higher education in this State that additional facilities be provided to meet the increasing demands for educational opportunity

for the young people of the State; that it is imperative that the necessary measures be taken to provide such facilities as soon as possible; that it is necessary that this act take effect immediately so that a budget may be prepared and submitted to the Sixty-Seventh General Assembly to finance the University of Arkansas at Little Rock provided for in this act. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

6-64-301. Little Rock — Establishment.

The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the University of Arkansas at Little Rock, incorporating therein the private institution formerly known as Little Rock University, which was transferred to the control of the board for purposes of this merger.

History. Acts 1969, No. 35, § 1; A.S.A. 1947, § 80-2884.

A.C.R.C. Notes. Acts 1991, No. 599, § 6, provided: "The University of Arkansas at Little Rock shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Little Rock shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas at Little Rock does not exceed 25% of that required for a full-time employee."

Acts 1997, No. 687, § 5, provided: "SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or in behalf of the athletic director, assistant athletic director, head basketball coach, and assistant coaches at the University of Arkansas at Little Rock, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allow-

ance in view of the unusual and exacting duties of said athletic director, assistant athletic director, head basketball coach, and assistant coaches, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas at Little Rock, which is derived from athletic event receipts, an amount not to exceed twenty thousand dollars (\$20,000) in the aggregate for such purposes during each year of the 1997-99 biennium for the athletic director and head basketball coach, and ten thousand dollars (\$10,000) in the aggregate for such purposes during the 1997-99 biennium for the assistant athletic director and assistant coaches. Provided that any such allowances shall be in addition to the regular salary of such athletic director, assistant athletic director, head basketball coach and assistant coaches, as established herein provided that the amount of such allowance shall not exceed ten thousand dollars (\$10,000) per annum for any one salaried position. Further, the University of Arkansas at Little Rock shall report annually to the Legislative Joint Auditing Committee the exact disposition of the special allowance funds authorized herein."

Acts 2003, No. 1618, § 6, provided: "SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or in behalf of the athletic director, assistant athletic directors, head coaches, and assistant coaches at the University of Arkansas at Little Rock, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic director, assistant athletic directors, head coaches, and assistant coaches, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas at Little Rock, which is derived from athletic event receipts, an amount not to exceed twenty thousand dollars (\$20,000) in the aggregate for such pur-

poses during each year of the 2003-2005 biennium for the athletic director and head coaches, and ten thousand dollars (\$10,000) in the aggregate for such purposes during the 2003-2005 biennium for the assistant athletic directors and assistant coaches. Provided that any such allowances shall be in addition to the regular salary of such athletic director, assistant athletic directors, head coaches and assistant coaches, as established herein provided that the amount of such allowance shall not exceed ten thousand dollars (\$10,000) per annum for any one salaried position. Further, if the special allowance funds authorized herein are utilized the University of Arkansas at Little Rock shall report annually to the Legislative Joint Auditing Committee the exact disposition of those special allowances funds. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

CASE NOTES

Cited: Little Rock Univ. v. George W. Donaghey Found., 252 Ark. 1148, 483 S.W.2d 230 (1972).

6-64-302. Monticello — Establishment — Board of Visitors.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the University of Arkansas at Monticello, consolidating and incorporating therein the state institution formerly known as Arkansas Agricultural and Mechanical College, which, together with its board of trustees, was abolished as a separate institution with responsibility transferred to the control of the Board of Trustees of the University of Arkansas as a part of the University of Arkansas effective July 1, 1971.

(b)(1) There is established the Board of Visitors for the University of Arkansas at Monticello, which shall consist of eleven (11) members appointed by the Governor.

(2)(A) First, the Governor shall make seven (7) appointments from a list of no fewer than twenty (20) names jointly prepared by the members of the House of Representatives representing the eighth, ninth, tenth, and twelfth house districts and the Senator representing the twenty-fourth senate district.

(B) The seven (7) appointments shall include one (1) each from Ashley, Bradley, Chicot, Cleveland, Desha, Drew, and Lincoln counties.

(3)(A) Second, the Governor shall appoint two (2) members from:

(i) The Board of Directors of Forest Echoes Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-Crossett; and

(ii) The Board of Directors of Great Rivers Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-McGehee.

(B) The Board of Directors of Forest Echoes Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-Crossett, and Great Rivers Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-McGehee, shall be appointed by the Board of Trustees of the University of Arkansas.

(c)(1)(A) Appointments shall be bipartisan and be for terms of three (3) years.

(B) The Governor shall make appointments to the initial board of visitors and thereafter as terms expire and vacancies occur for any reason, so that at least seven (7) members of the board will be alumni of the University of Arkansas at Monticello.

(C) After the expiration of the terms of the members initially appointed under (b)(1)(B), the members appointed in 2006 shall draw lots for staggered terms with the terms of four (4) members expiring in 2007, the terms of four (4) members expiring in 2008, and the terms of three (3) members expiring in 2009.

(D) Appointments after 2006 shall be for terms of three (3) years.

(2) Members may serve no more than two (2) consecutive terms but shall otherwise be eligible for reappointment to the board of visitors.

(3) When there is a vacancy in an unexpired term, the appointee shall serve for the remaining portion of the term.

(d) The general purposes of the board of visitors shall be to:

(1) Perform a liaison function between the University of Arkansas at Monticello and the President and the Board of Trustees of the University of Arkansas;

(2) Aid in securing financial support;

(3) Advise upon and interpret the educational and service needs of the State of Arkansas as they relate to the mission and programs of the University of Arkansas at Monticello;

(4) Aid in the continuing development of the University of Arkansas at Monticello as a major four-year campus of the University of Arkansas; and

(5) Furnish counsel and guidance by advice and recommendations for the University of Arkansas at Monticello.

(e) The Board of Trustees of the University of Arkansas shall maintain and operate the campus at Monticello as a major four-year campus of the University of Arkansas, offering at that location the highest possible quality of high educational programs, shall provide for the sound growth and improvement of the quality of the academic programs, and shall expand its mission to include technical education

at Forest Echoes Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-Crossett, and Great Rivers Technical Institute, which after July 1, 2003, shall be known as the University of Arkansas at Monticello College of Technology-McGehee.

(f)(1) The terms of all members serving on the board of visitors on July 15, 2003, shall expire at midnight on July 16, 2003, and new members shall be appointed by the Governor.

(2) Members serving on the board of visitors prior to July 16, 2003, may be reappointed if they are named on the list presented to the Governor.

History. Acts 1971, No. 9, § 1; A.S.A. 1947, § 80-2885; Acts 1997, No. 834, § 1; 2003, No. 1196, § 1.

A.C.R.C. Notes. Acts 1991, No. 638, § 5, provided: "The University of Arkansas at Monticello shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Monticello shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas at Monticello does not exceed 25% of that required for a full-time employee."

Acts 1997, No. 834, § 1, also provided for members of the initial board to draw lots for terms of from one (1) to three (3) years.

Publisher's Notes. Acts 1925, No. 45, § 1, in part changed the name of the fourth district agricultural school located at Monticello to Agricultural and Mechanical College, Fourth District.

Acts 1943, No. 1 created an honorary board of managers for the Fourth District Agricultural and Mechanical College which succeeded to all the powers and duties of the board or commission charged with the management or control of that school which was abolished by that act. Acts 1971, No. 9, § 5 purported to amend Acts 1943, No. 1, § 2(14) by deleting the reference to "Arkansas Agricultural and

Mechanical College" which had been abolished by Acts 1971, No. 9, § 1 (this section), but did not set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23.

Acts 1971, No. 9, § 2, provided for the relinquishment of all responsibility, control, and supervision of the Arkansas Agricultural and Mechanical College by its Board of Trustees on July 1, 1971. Section 3 of that act provided that the Board of Trustees of the University of Arkansas would, on July 1, 1971, assume and be vested with all the rights, titles, powers, etc., of the Arkansas Agricultural and Mechanical College and its Board of Trustees, and be vested with all the rights, titles, and interests in and to all real and personal property acquired by or vested by law in or for the use of the Arkansas Agricultural and Mechanical College or its Board of Trustees. Section 3 also provided that the Arkansas Agricultural and Mechanical College be abolished as a separate institution. Section 4 of the act directed the appropriate state officials to transfer all funds, appropriations, credits, and equities of the Arkansas Agricultural and Mechanical College so that these funds, etc., would be credited to and made available to the University of Arkansas for use on its Monticello campus.

Amendments. The 2003 amendment rewrote (b); added (c)(1)(B)-(D); inserted "of visitors" in (c)(2); inserted "and shall expend ... McGehee" at the end of (e); and added (f).

6-64-303. Pine Bluff — Establishment and programs.

(a) The Board of Trustees of the University of Arkansas is authorized to establish and operate, as a part thereof, a campus to be known as the

University of Arkansas at Pine Bluff, consolidating and incorporating therein the facilities of the state institution formerly known as Arkansas Agricultural, Mechanical, and Normal College which, together with its board of trustees, was abolished as a separate institution effective July 1, 1972.

(b)(1) The board of trustees shall maintain and operate the campus at Pine Bluff as a major campus of the University of Arkansas, offering at that location the highest possible quality of higher educational programs, and shall provide for the sound growth and improvement in the quality of the academic programs.

(2) The board shall continue to offer programs providing opportunities for those young people in Arkansas who are culturally, socially, and economically disadvantaged as well as programs attractive to students from other groups; and the composition of the administration, faculty, and staff shall reflect these purposes.

History. Acts 1971, No. 512, § 1; A.S.A. 1947, § 80-3201n.

A.C.R.C. Notes. Acts 1991, No. 600, § 8, provided: "The University of Arkansas at Pine Bluff shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas at Pine Bluff shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas at Pine Bluff does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1971, No. 512, § 3, provided in part for the relinquishment of all responsibility and control of the Arkansas Agricultural, Mechanical, and Normal College by its Board of Trustees on July 1, 1972. Section 3 further provided that the Board of Trustees would be divested of all future obligations and duties regarding that institution upon delivery of its assets, books of account, and files to the Board of Trustees of the University of Arkansas.

Acts 1971, No. 512, § 4, provided in part for development of plans by the presidents and other officials, faculty, and staff members of the Arkansas Agricultural, Mechanical, and Normal College and the University of Arkansas for the orderly transition of the Arkansas Agricultural, Mechanical, and Normal College into the

University of Arkansas. Section 4 further provided that the President of the Arkansas Agricultural, Mechanical, and Normal College would become the Chancellor of the University of Arkansas at Pine Bluff.

Acts 1971, No. 512, § 5, provided that on July 1, 1972, the Board of Trustees of the University of Arkansas would be vested with, and succeed to, all the rights, titles, powers, interests, properties, assets, funds, and credits of the Arkansas Agricultural, Mechanical, and Normal College and its board of trustees, including all rights, titles, and interests in and to all real and personal property acquired by or vested in that college or its board of trustees. Section 5 further provided that the Board of Trustees of the University of Arkansas would assume the future duties and responsibilities of higher education on the Pine Bluff, Arkansas campus from and after July 1, 1972.

Acts 1971, No. 512, § 6, directed the appropriate state officials to transfer all funds, appropriations, credits, and equities belonging to the Arkansas Agricultural, Mechanical, and Normal College so that they would be credited to and made available to the University of Arkansas for use on its Pine Bluff campus.

Acts 1971, No. 512, § 7, purported to amend several acts by deleting all references to "Arkansas Agricultural, Mechanical, and Normal College" or to that institution under the names by which it had previously been designated or operated (Branch Normal College, Agricultural, Mechanical, and Normal School for Ne-

groes, State Agricultural, Mechanical, and Normal College, State A. M. & N. College, and Arkansas A. M. & N. College), and to its board of trustees. Acts 1971, No. 512, § 7, did not, however, set out the amended portion that is required by Arkansas Constitution, Article 5, Section 23.

Acts 1971, No. 512, § 10, contained a legislative recognition and declaration that any litigation or investigations arising from the operations of the Arkansas

Agricultural, Mechanical, and Normal College prior to July 1, 1972, were not the responsibility of, nor should they be attributed to, the University of Arkansas, its officials, or its Board of Trustees. Section 10 further provided that the University of Arkansas, its officials, or its board of trustees would have no responsibility to appear, defend, or otherwise answer to any such claims, damages, reimbursement, suits, or other matters.

CASE NOTES

Retirement of Professors.

After the merger of Arkansas Agricultural, Mechanical and Normal College into the University of Arkansas system, the University of Arkansas could take any action on employment rights which could have been taken by AM & N in the absence of the merger and could legally alter the mandatory retirement age. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Barring procedural irregularities, a university may lower a previously established mandatory retirement age and may apply the lower age to an already tenured professor. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Professor had property interest in teaching until he reached age 72, which brought into play the requirements of due process, and the property interest was not eliminated by merger. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

Although plaintiff was a tenured professor at Arkansas Agricultural, Mechanical and Normal College prior to the merger into the University of Arkansas system, the board of trustees was not required to give plaintiff personalized notice of a contemplated change in the retirement age or to give him a personal hearing in which he could be heard individually by the trustees regarding the change. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

6-64-304. Pine Bluff — Board of Visitors.

(a) The Board of Trustees of Arkansas Agricultural, Mechanical, and Normal College shall be reconstituted as the Board of Visitors for the University of Arkansas at Pine Bluff.

(b)(1) As terms expire, and where vacancies occur for any reason, the Governor, with the advice and consent of the Senate, shall appoint the successor.

(2) The Governor shall endeavor to make appointments to the board of visitors so that at least four (4) of the seven (7) members of the board will be alumni of Arkansas Agricultural, Mechanical, and Normal College or the University of Arkansas at Pine Bluff.

(3)(A) The Governor shall select the appointee from a list of five (5) names submitted to him or her by a nominating committee composed of two (2) alumni, two (2) members of the faculty or administration, two (2) students, and three (3) members selected by the Governor to represent the general public.

(B) However, the Governor shall have the authority to request the names of additional nominees from the nominating committee.

(c) Appointments shall be for terms of seven (7) years each except where there is an unexpired term, which shall be filled for the remaining portion of the term.

(d) The general purpose of the board of visitors shall be to:

(1) Perform a liaison function between the University of Arkansas at Pine Bluff and the President and the Board of Trustees of the University of Arkansas;

(2) Aid in securing financial support;

(3) Advise upon and interpret the educational and service needs of the State of Arkansas as they relate to the mission and programs of the University of Arkansas at Pine Bluff;

(4) Aid in the orderly transition of Arkansas Agricultural, Mechanical, and Normal College as it becomes a major campus of the University of Arkansas; and

(5) Furnish counsel and guidance, by advice and recommendations, for the University of Arkansas at Pine Bluff.

History. Acts 1971, No. 512, § 3; A.S.A. 1947, § 80-3201n.

Publisher's Notes. Acts 1971, No. 512, § 3 provided, in part, that the individuals serving on the Arkansas Agricultural, Mechanical, and Normal College Board of Trustees on July 1, 1972, would continue

to serve as members of the Board of Visitors for the University of Arkansas at Pine Bluff, and that each individual would serve a term on the board of visitors equal to the unexpired portion of his tenure on the Arkansas Agricultural, Mechanical, and Normal College Board of Trustees.

CASE NOTES

Merger.

The merger committee had only an advisory responsibility and a recommending function, for, prior to the merger, the ultimate authority remained with the boards of trustees of the two schools affected, but after July 1, 1972, the board of trustees of the University of Arkansas had the ulti-

mate authority for the operation of both schools; Acts 1971, No. 512 (§§ 6-64-303, 24-7-1007 and this section) did not delegate to the merger committee powers otherwise reserved for the board of trustees. *Russell v. Board of Trustees*, 502 F. Supp. 916 (E.D. Ark. 1980), *aff'd*, 657 F.2d 1008 (8th Cir. 1981).

SUBCHAPTER 4 — MEDICAL DEPARTMENT GENERALLY

SECTION.

- 6-64-401. Maintenance as part of university.
- 6-64-402. Control and management.
- 6-64-403. Costs of maintenance.
- 6-64-404. Policies and practices of medical center.
- 6-64-405. University of Arkansas College of Medicine Admissions Board.
- 6-64-406. Admissions generally.
- 6-64-407. Admissions — Transfer students.
- 6-64-408. Fees and scholarships.

SECTION.

- 6-64-409. Family Practice Department.
- 6-64-410. School of Pharmacy.
- 6-64-411. School of Dental Hygiene.
- 6-64-412. Chair on Alcoholism and Drug Abuse Prevention.
- 6-64-413. Special allowances.
- 6-64-414. Special language and restrictions — Area health education centers.
- 6-64-415. Applicability of §§ 6-61-105 and 6-61-106.
- 6-64-416. Establishment and administration.

A.C.R.C. Notes. Acts 1991, No. 974, § 20, provided: "The University of Arkansas for Medical Sciences shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Arkansas for Medical Sciences University of Arkansas for Medical Sciences shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Arkansas for Medical Sciences does not exceed 25% of that required for a full-time employee."

Cross References. Acquisition of unclaimed bodies by University of Arkansas Medical School, § 20-17-701 et seq.

Preambles. Acts 1911, No. 360, p. 336 contained a preamble which read: "Whereas, the 'Arkansas Industrial University Medical Department,' a corporation organized and existing in Pulaski County, Arkansas, under the laws of Arkansas providing for the incorporation of benevolent associations, is the owner of the following described real and personal property, to-wit:

"A parcel of ground and building thereon at the corner of East Second and Sherman streets, in the city of Little Rock, of the estimated value of thirty thousand dollars [\$30,000.00], a parcel of ground and building thereon at No. 611 East Markham street, in the city of Little Rock, of the estimated value of six thousand five hundred dollars [\$6,500.00], cash on hand twenty thousand dollars [\$20,000.00], office fixtures of the estimated value of four hundred dollars [\$400.00], operating room of the estimated value of three hundred dollars [\$300.00], dispensary of the estimated value of five hundred dollars [\$500.00], library of the estimated value of one thousand five hundred dollars [\$1,500.00], chemical laboratory, apparatus, supplies and chemicals of the estimated value of one thousand two hundred dollars [\$1,200.00], anatomical laboratory of the estimated value of three hundred dollars [\$300], pathology, bacteriology and histological laboratory of the estimated value of four thousand, seven hundred and three dollars [\$4,703], and physical laboratory, equipment and supplies of the

estimated value of three hundred and fifty dollars [\$350], all said property of the aggregate value, estimated, of sixty-five thousand, seven hundred and fifty-three dollars [\$65,753], in which buildings and with which property a medical college is being conducted under authority of the University of Arkansas, but at the expense of the corporation aforesaid; and

"Whereas, said corporation is willing to convey all said property to the State of Arkansas for the use of the University of Arkansas, in consideration of the State maintaining and conducting a medical college as part of the University of Arkansas...."

Effective Dates. Acts 1911, No. 360, § 6: approved May 30, 1911. Emergency declared.

Acts 1967, No. 331, § 5: Mar. 14, 1967. Emergency clause provided: "It is hereby found and determined that the General Assembly has, by a vote of two-thirds ($\frac{2}{3}$) of the members elected to both houses, voted to extend the regular session of 66th General Assembly, as authorized in the Constitution; that under the provisions of Amendment 7 to the Constitution, enactments of the General Assembly that do not have an emergency clause do not become effective until ninety (90) days after the date of final adjournment of the General Assembly; that the session of the General Assembly may not adjourn in time for this Act to take effect prior to July 1, 1967, thereby depriving the agency for which funds are appropriated herein of necessary operating funds to commence the next fiscal biennium; and, in order that the appropriation made herein may be available on July 1, 1967, the General Assembly determines that the immediate passage of this Act is necessary. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval, provided, that the appropriation authorized herein shall not be available until July 1, 1967."

Acts 1972 (Ex. Sess.), No. 43, § 8: Feb. 18, 1972. Emergency clause provided: "It has been found and determined by the Sixty-Eighth General Assembly, meeting in Extraordinary Session that Act 812 of 1971 did not provide sufficient appropriation to properly fund the Family Practice

Program of the State Medical Center and that additional appropriation and funds for this program must be provided immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1973, No. 453, § 2: became law without Governor's signature, Mar. 26, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is a great need in the State of Arkansas for physicians interested in practicing family medicine or engaging in the general practice of medicine; that although there are many students at the University of Arkansas Medical Center who are interested in the general practice of medicine or practice of family medicine, the present policies and curriculum of the Medical Center are not designed to encourage and prepare graduates to enter into the general practice of medicine; that this Act is designed to provide for a thorough review and study of the policies and curriculum at the University of Arkansas Medical Center to correct this undesirable situation, and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1987, No. 639, § 3: July 1, 1987. Emergency clause provided: "It is hereby found and determined by the General Assembly that funding for a Chair on Alcoholism and Drug Abuse Prevention at the University of Arkansas for Medical Sciences is necessary for the support of such Chair; that alcoholism and drug abuse are a major public health problem in this State and that the funding of said Chair on Alcoholism and Drug Abuse Prevention is critical to the health and safety of the people of this State, and that the immediate passage of this Act is necessary to provide funding required for such Chair. Therefore, an emergency is hereby de-

clared to exist and this Act, being immediately necessary for the preservation of the public health and safety, shall be in full force and effect from and after July 1, 1987."

Acts 1995, No. 1099, § 33: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-64-401. Maintenance as part of university.

The Medical Department of the University of Arkansas shall be

maintained at the cost of the State of Arkansas, shall be a department for the instruction of students in medical science, and shall be a part of the University of Arkansas but may be located in the City of Little Rock.

History. Acts 1911, No. 360, § 1; C. & M. Dig., § 9581; Pope's Dig., § 13247; A.S.A. 1947, § 80-2901.

Publisher's Notes. Acts 1911, No. 360, § 1, in part, changed the name of the medical college being operated in Little Rock under the authority of the University of Arkansas but maintained by and conducted in buildings owned by the Arkansas Industrial University Medical Department to the Medical Department of the University of Arkansas.

Acts 1911, No. 360, § 5, provided that the act would take effect upon the irrevocable transfer of all real and personal

property of the Arkansas Industrial University Medical Department to the State of Arkansas for the use and benefit of the University of Arkansas for the purpose of maintaining and operating a first class medical college as a part of that university. The section further provided that the State of Arkansas would take property held by the Arkansas Industrial University Medical Department pursuant to a bequest, devise, gift, or conveyance subject to any conditions binding upon the Arkansas Industrial University Medical Department.

CASE NOTES

Cited: Lindsay v. White, 212 Ark. 541, 206 S.W.2d 762 (1947).

6-64-402. Control and management.

(a) The Medical Department of the University of Arkansas shall be under the management and control of the Board of Trustees of the University of Arkansas as fully and with like effect as the other departments of the University of Arkansas.

(b)(1) The Board of Trustees of the University of Arkansas shall employ all necessary supervisors, professors, teachers, agents, and servants required to carry on the medical department and shall cause the medical department to be operated in a first-class manner and with courses of study, methods of instruction, and equipment of a standard equal to that required of medical colleges by the Association of American Medical Colleges.

(2) They shall from time to time as the finances will allow and the advancement and necessity of the department require, add courses, fill professorships, and add buildings, furniture, libraries, apparatus, and other things so as to keep this department up to the standard required of medical colleges by the Association of American Medical Colleges.

History. Acts 1911, No. 360, § 2; C. & M. Dig., § 9582; Pope's Dig., § 13248; A.S.A. 1947, § 80-2902.

6-64-403. Costs of maintenance.

(a) The expenses and costs of maintenance and operation of the Medical Department of the University of Arkansas shall be borne by the State of Arkansas.

(b) The General Assembly shall provide for the expenses and costs of maintenance by appropriations made in like manner as appropriations are made for the maintenance and operation of the University of Arkansas.

History. Acts 1911, No. 360, § 4; C. & M. Dig., § 9584; Pope's Dig., § 13250; A.S.A. 1947, § 80-2904.

6-64-404. Policies and practices of medical center.

The Board of Trustees of the University of Arkansas, the President of the University of Arkansas, and the Chancellor for Health Sciences of the University of Arkansas shall develop and follow appropriate policies and practices at the medical center which will:

(1) Provide for specific limitations on the duration of appointments of academic department and division heads, chairs, deans, associate deans, program directors, and similar academic and administrative positions, with each appointment to such positions to be made for a period of four (4) years, renewable only after thorough assessment of individual performance and attitude of the appointee in relation to the institutional goals of the medical center and the statewide health manpower needs of the State of Arkansas; and

(2) Establish and maintain a medical school curriculum that, beginning with the freshman year, will provide appropriate courses specifically designed to encourage and support the educational goals of those students interested in an appropriate education for and establishment of a family medicine practice or general practice of medicine.

History. Acts 1973, No. 453, § 1; A.S.A. 1947, § 80-2927.

6-64-405. University of Arkansas College of Medicine Admissions Board.

(a) There is established the University of Arkansas College of Medicine Admissions Board.

(b)(1) The board shall be composed of fifteen (15) members to be appointed by the Board of Trustees of the University of Arkansas and shall be selected from a list submitted by the Dean of the University of Arkansas College of Medicine subject to the approval of the Chancellor for Health Sciences and the President of the University of Arkansas System.

(2) Six (6) of the members shall be members of the faculty of the University of Arkansas College of Medicine.

(3) Eight (8) of the members shall be appointed from each of the four (4) congressional districts as established by Acts 1971, No. 337 [repealed] and shall be apportioned on the basis of two (2) members from each congressional district.

(4) One (1) member shall be appointed from the state at large.

(c) All members of the board shall serve one-year terms and may be reappointed for not more than three (3) additional consecutive terms.

(d) The board shall promulgate reasonable rules and regulations necessary to the fair and competitive selection of freshmen medical students with due consideration being given scholastic standings, recommendations of the premedical advisory committees of the various schools where the applicants pursue their premedical studies, their performance on the Medical College Admission Test, and any other procedures that can be developed that would deal fairly with the applicant group as a whole.

(e) The board shall serve without compensation except that each board member may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1975, No. 310, §§ 1-3; A.S.A. 1947, §§ 80-2928 — 80-2930; Acts 1997, No. 250, § 30.

A.C.R.C. Notes. Acts 2003, No. 828, § 1 provided: "Findings. (1)(A) The University of Arkansas College of Medicine includes nonfaculty members on the fifteen (15) member admissions committee.

"(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

"(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

"(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

"(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the inclusion of nonfaculty members on the admissions committee.

"(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

"(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

"(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

"(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

"(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

"(B) Arkansas has had a program since 1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice medicine in rural communities in the state.

"(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

"(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

"(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

"(F) However, the unique feature of Act

1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

"(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

"(H) Alternates who contract to practice

medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

"(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

"(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs."

6-64-406. Admissions generally.

(a)(1) The Board of Trustees of the University of Arkansas shall provide for the admission annually of not less than one hundred twenty (120) freshmen students to the College of Medicine. However, the board of trustees may provide for a reduction in this number to any figure not less than ninety (90) during any school year if the admission of freshmen students in excess of ninety (90) would endanger the accredited rating of the College of Medicine as determined by the standards of the Association of American Medical Colleges.

(2) Whenever the board of trustees at the University of Arkansas has developed the necessary policies and procedures to enable the Admissions Committee of the College of Medicine to comply with this subsection, the policies and procedures shall be published in the bulletin issued annually by the College of Medicine.

(b)(1)(A) The board of trustees of the University of Arkansas shall allocate the first seventy percent (70%) of all enrollment positions for the freshman medical class among Arkansas congressional districts, using the population of each congressional district as determined by the last federal decennial census to determine that district's proportion of the freshman positions so allocated and shall assign those apportioned enrollment positions for each district to those applicants who are legal residents in that particular congressional district.

(B) The board of trustees shall give additional consideration to rural applicants from medically underserved areas in an effort to address health disparities.

(2)(A) The next fifteen percent (15%) of the freshman enrollment positions shall be allocated to the state at large and assigned to applicants who are legal residents of any place within Arkansas.

(B) However, in allocating the fifteen percent (15%) to the state at large, the board of trustees may allocate not to exceed one-third ($\frac{1}{3}$) of the fifteen percent (15%) to applicants who do not actually reside in the state but who were born and reared and attended public schools

in Arkansas and who in addition thereto shall meet two (2) or more of the following criteria:

- (i) Applicant is a registered voter in Arkansas;
- (ii) Applicant holds a current valid Arkansas driver's license;
- (iii) Applicant or parents of applicant are Arkansas taxpayers;
- (iv) Parent of applicant resides in or is employed in Arkansas;
- (v) Applicant meets other related criteria as may be prescribed by the board.

(3) The remaining fifteen percent (15%) of the freshman enrollment positions may be assigned either to legal residents or to nonresidents, however, any qualified legal resident shall have a preference in securing an assignment to a position when compared to a nonresident, and the total number of nonresidents assigned positions shall not exceed fifteen percent (15%) of the total freshman enrollment positions assigned for any school year.

(4) The board of trustees may provide for an alteration in the percentages set forth in this subsection only if the adherence to these percentages would endanger the accredited rating of the College of Medicine as determined by the Standards of the Association of American Medical Colleges.

(c) The selection of freshman medical students shall be accomplished competitively without any favoritism or discrimination on the basis of sex or race, and with due consideration being given scholastic standings, recommendations of the premedical advisory committees of the various schools where the applicants pursue their premedical studies, their performance on the Medical College Admission Test, and any other procedures that can be developed that would deal fairly with the applicant group as a whole.

(d)(1) The board shall promulgate rules and provide resources to allow the area health education centers to offer programs to prepare identified medical school candidates from medically underserved areas of the state for the Medical College Admission Test.

(2) Preparation for the Medical College Admission Test shall include, but not be limited to:

(A) Recruitment and guidance of individuals interested in health care professions;

(B) Early targeting of potential candidates, including junior high school, high school, two-year college, and four-year college undergraduate students;

(C) Use of community colleges and four-year colleges and universities throughout the state to offer Med Prep and other targeted studies with the aid of video and distance learning tools; and

(D) Ensurance that everyone interested in a medical profession receives an equal opportunity for success.

History. Acts 1967, No. 59, §§ 1-3; 1977, No. 231, § 1; 1981, No. 681, § 1; A.S.A. 1947, §§ 80-2906, 80-2906.1, 80-2907; Acts 2003, No. 828, § 2.

A.C.R.C. Notes. Acts 1995, No. 1099, § 21, provided: "ADMISSION POLICY. The University of Arkansas for Medical Sciences shall admit one hundred fifty

(150) freshman students in each year of the 1995-97 biennium into the College of Medicine. Provided that no funds shall be expended to fund the positions of Chancellor, Dean of Medicine and any academic position until the Chancellor and Dean of Medicine certify to the Arkansas Legislative Council that the provision of this Section relating to the 1995-97 biennium requirement for one hundred fifty (150) freshman student admissions has been implemented."

Acts 2001, No. 1669, § 21, provided: "ADMISSION POLICY. The University of Arkansas for Medical Sciences shall admit one hundred fifty (150) freshman students in each year of the 2001-2003 biennium into the College of Medicine. Provided that no funds shall be expended to fund the positions of Chancellor, Dean of Medicine and any academic position until the Chancellor and Dean of Medicine certify to the Arkansas Legislative Council that the provision of this Section relating to the 2001-2003 biennium requirement for one hundred fifty (150) freshman student admissions has been implemented.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Acts 2003, No. 828, § 1 provided: "Findings. (1)(A) The University of Arkansas College of Medicine includes nonfaculty members on the fifteen (15) member admissions committee.

"(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

"(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

"(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

"(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the in-

clusion of nonfaculty members on the admissions committee.

"(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

"(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

"(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

"(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

"(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

"(B) Arkansas has had a program since 1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice medicine in rural communities in the state.

"(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

"(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

"(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

"(F) However, the unique feature of Act 1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved

by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

"(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

"(H) Alternates who contract to practice medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

"(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one

hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

"(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs."

Publisher's Notes. The language in Acts 2001, No. 1669, § 21, is similar to the language in this section. However, the act did not specifically amend or supersede this section, and apparently did not intend for this section to expire on June 30, 2003.

Amendments. The 2003 amendment added (b)(1)(B) and (d) and made related changes.

6-64-407. Admissions — Transfer students.

In considering and approving applicants for transfer to the University of Arkansas College of Medicine from other medical schools, the Board of Trustees of the University of Arkansas may give special consideration to those applicants for transfer who were born and reared and attended public school in Arkansas and who meet two (2) or more of the following criteria:

- (1) Applicant is a registered voter in Arkansas;
- (2) Applicant holds a current valid Arkansas license;
- (3) Applicant or parents of applicant are Arkansas taxpayers;
- (4) Parent of applicant resides in or is employed in Arkansas;
- (5) Applicant meets other related criteria as may be prescribed by the board.

History. Acts 1981, No. 681, § 2;
A.S.A. 1947, § 80-2906.2.

6-64-408. Fees and scholarships.

(a) The Board of Trustees of the University of Arkansas shall fix a scale of matriculation and tuition fees, in reasonable sums, and shall prescribe terms and conditions for the payment of fees.

(b) The students attending the Medical Department of the University of Arkansas shall pay the fees, except that the board may provide honorary free scholarships in furtherance of the best interests of the department.

(c) The fees shall be collected under the direction of the board of trustees, which shall prescribe the method of collecting the fees, and when collected they shall be paid over to the financial officer of the University of Arkansas and kept as a fund for the department and shall be paid out by the orders of the board of trustees only for the use and benefit of the department.

History. Acts 1911, No. 360, § 3; C. & M. Dig., § 9583; Pope's Dig., § 13249; A.S.A. 1947, § 80-2903.

6-64-409. Family Practice Department.

(a) It is the intent of the General Assembly that the program in family practice at the University of Arkansas College of Medicine have full departmental status and that a member of the medical faculty of this department be a voting member of the Admissions Committee for the University of Arkansas College of Medicine.

(b) It is the recommendation of the General Assembly that the faculty members of the Family Practice Department of the University of Arkansas College of Medicine provide counseling services to any student at the institution at the request of the individual student.

(c) The Dean of the College of Medicine shall submit a report, through the offices of the Chancellor for Health Sciences and the President of the University of Arkansas, to the Governor and to the Chairman of the Legislative Council no later than September 1 of each year and covering the period of the preceding fiscal year, in which information shall be furnished as to the number of interns and residents in the various medical school programs, the number who completed the family practice program, the places where those who completed the various programs are practicing, including those in the military services, and any problems encountered in the education of students, interns, or residents in the family practice program which should be considered by the General Assembly, the Governor, or the Legislative Council.

History. Acts 1972 (Ex. Sess.), No. 43, §§ 3-5.

6-64-410. School of Pharmacy.

(a) The Board of Trustees of the University of Arkansas is authorized to establish an accredited School of Pharmacy at the University of Arkansas or the Medical College of the University of Arkansas.

(b) The board is further authorized and empowered to receive any grant, aid, gift, donation, or endowment for the use of the school and to do all things necessary for the establishment of an accredited school of pharmacy.

History. Acts 1951, No. 323, § 1; A.S.A. 1947, § 80-2858.

6-64-411. School of Dental Hygiene.

(a) There is established at the State Medical Center, under the direction of the Board of Trustees of the University of Arkansas, a University of Arkansas School of Dental Hygiene, which shall offer a

program of clinical instruction leading to a degree or certificate in dental hygiene.

(b) The board of trustees shall establish rules and regulations governing admissions to the School of Dental Hygiene, programs of instruction therein, and the qualifications and requirements for a degree or certificate. However, rules and regulations for admissions, courses or programs of clinical instruction, and degrees or certificates for graduation therefrom shall be in accordance with the standards established by the recognized national accreditation association of dental hygiene schools or programs.

(c) Any degree or certificate granted by the School of Dental Hygiene shall also be in conformance with the standards for licensing as a dental hygienist under the applicable licensing laws of this state.

History. Acts 1967, No. 331, § 1;
A.S.A. 1947, § 80-2878.

6-64-412. Chair on Alcoholism and Drug Abuse Prevention.

The University of Arkansas for Medical Sciences shall establish a Chair on Alcoholism and Drug Abuse Prevention.

History. Acts 1987, No. 639, § 1.

A.C.R.C. Notes. Former § 6-64-412, concerning chair on alcoholism and drug abuse prevention, is deemed to be superseded by this section. The former section was derived from Acts 1985, No. 1000, § 1; A.S.A. 1947, § 48-1409.1.

Acts 1987, No. 639, § 1, provided, in part, that, to assist in funding the chair, there shall be charged and collected a tax on all alcoholic beverages, as defined in § 3-9-201 et seq., sold for on-premises consumption; the tax shall be in an amount equal to three percent of the gross receipts derived from the sale of the alco-

holic beverages; the tax receipts shall be deposited as special revenues into the State Treasury and credited to the University of Arkansas Medical Center Fund to be used exclusively to help defray the cost of a Chair on Alcoholism and Drug Abuse Prevention; the tax levied shall be in effect only from July 1, 1987, through January 1, 1988, inclusive; this act gives no additional taxing authority to any municipality; and the owner of any establishment who wilfully continues to collect the tax after January 1, 1988, shall be subject to a fine of \$1,000.

6-64-413. Special allowances.

(a)(1) The Board of Trustees of the University of Arkansas is hereby authorized to make available to the President of the University of Arkansas special allowances in such amounts as the board may determine to be justified at the University of Arkansas for Medical Sciences, for the use of the chancellor and his deans, representatives, department heads, and directors at the University of Arkansas for Medical Sciences in recruitment of faculty and staff members.

(2) Upon approval by the president and the board of trustees, such funds shall be administered by the Chancellor of the University of Arkansas for Medical Sciences, who shall assure that the total amount expended for such purposes does not exceed one hundred fifty thousand

dollars (\$150,000) each fiscal year, or so much thereof as may be authorized by the board of trustees.

(3) The funds authorized by this subsection shall come from a source other than state tax dollars appropriated by the General Assembly or charges made to students for tuition, fees, room and board, or other purposes.

(4) Each year, the chancellor shall furnish to the president, the board of trustees, and the Legislative Joint Auditing Committee a report showing for each expenditure the date, the amount, the names of persons to whom the expenditure was made, and the purpose for which the expenditure was made.

(b)(1) The board of trustees may make special allowances available in such amounts as the board of trustees may determine or justify as equitable in view of the exacting duties which are involved as a part of the salaries of the physicians, dentists, and other professional faculty employed by the University of Arkansas for Medical Sciences from receipts of professional income in the care of patients and funds received from federal agencies, foundations, and other private sponsors in support of research.

(2) Provided, any such allowance shall not exceed for any employee an amount equal to two (2) times that portion of the salary authorized by the General Assembly to be paid from the University of Arkansas Medical Center Fund.

History. Acts 1995, No. 1099, §§ 13, 14.

A.C.R.C. Notes. Acts 2001, No. 1669, § 13, provided: "SPECIAL ALLOWANCES. The Board of Trustees may make special allowances available, in such amounts as the Board may determine or justify equitable in view of the exacting duties which are involved, as a part of the salaries of the physicians, dentists, and other professional faculty employed by the University of Arkansas for Medical Sciences from receipts of professional income in the care of patients and/or funds received from federal agencies, foundations, and other private sponsors in support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half (2 & ½) times that portion of the salary authorized by the General Assembly to be paid from the University of Arkansas Medical Center Fund.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Acts 2001, No. 1669, § 14, provided: "SPECIAL ALLOWANCES. The Board of Trustees of the University of Arkansas is

hereby authorized to make available to the President of the University of Arkansas special allowances in such amounts as the Board may determine to be justified at the University of Arkansas for Medical Sciences, for the use of the Chancellor and his deans, representatives, department heads, and directors at the University of Arkansas for Medical Sciences in recruitment of faculty and staff members. Upon approval by the President and the Board of Trustees, such funds shall be administered by the Chancellor, who shall assure that the total amount expended for such purposes does not exceed one hundred fifty thousand dollars (\$150,000) each fiscal year or so much thereof as may be authorized by the Board of Trustees. The funds authorized by this Section shall come from a source other than state tax dollars appropriated by the General Assembly or charges made to students for tuition, fees, room and board, or other purposes. Each year the Chancellor shall furnish to the President of the University of Arkansas, the Board of Trustees, and the Arkansas Legislative Joint Auditing Committee a report showing for each expenditure the date, the amount, the

names of persons to whom the expenditure was made, and the purpose for which the expenditure was made.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

6-64-414. Special language and restrictions — Area health education centers.

The Chancellor of the University of Arkansas for Medical Sciences shall make periodic progress reports of area health education center programs to the Governor, the Legislative Council, and other interested interim committees of the General Assembly regarding the achievements and the expansion of the aforementioned programs and the amounts expended for the area health education centers.

History. Acts 1995, No. 1099, § 15.

A.C.R.C. Notes. Acts 2001, No. 1669, § 15, provided: "SPECIAL LANGUAGE AND RESTRICTIONS — AREA HEALTH EDUCATION CENTERS. The Chancellor at the University of Arkansas for Medical Sciences shall make periodic progress reports of AHEC programs to the Governor, the Legislative Council, and other inter-

ested interim committees of the General Assembly regarding the achievements, the expansion of the aforementioned programs, and amounts expended for the Area Health Education Centers.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

6-64-415. Applicability of §§ 6-61-105 and 6-61-106.

The provisions of §§ 6-61-105 and 6-61-106 shall not apply to students selected to be admitted to the University of Arkansas School of Medicine or the University of Arkansas School of Pharmacy.

History. Acts 1995, No. 1099, § 26.

A.C.R.C. Notes. Acts 2001, No. 1669, § 26, provided: "COURSE REQUIREMENTS. The provisions of Arkansas Code 6-61-105 and 6-61-106 shall not apply to students selected to be admitted to the

University of Arkansas School of Medicine or the University of Arkansas School of Pharmacy.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

6-64-416. Establishment and administration.

(a) The University of Arkansas for Medical Sciences is authorized to create the North Central Area Health Education Center to serve the following counties: Baxter, Cleburne, Fulton, Marion, Independence, Izard, Stone, Searcy, Sharp, and Van Buren.

(b)(1) The center shall be administered in the same manner as other facilities in the University of Arkansas for Medical Sciences Area Health Education Center Program, including:

(A) Training students in the fields of medicine, nursing, pharmacy, and various allied health professions with an emphasis on primary care, general health education, and basic medical care for the whole family; and

(B) Providing medical residents specializing in family practice.

(2) Programs shall be conducted to the extent that funds are available.

(c) A director of the North Central Area Health Education Center shall be appointed in the same manner as and shall have the same powers as other center directors in the program.

(d) The program shall have offices in Mountain Home, Batesville, and Mountain View.

History. Acts 2003, No. 197, § 1.

SUBCHAPTER 5 — STATE MEDICAL CENTER — ADMISSION OF PATIENTS

SECTION.

6-64-501. Purpose of subchapter.

6-64-502. Admission of other patients not affected by subchapter.

6-64-503. Medical indigents — Determination of status.

6-64-504. Admission as medical indigent — Certification procedure.

6-64-505. Medical indigents — Quota of patients from counties and municipalities.

SECTION.

6-64-506. Medical indigents — Patients not charged against quotas.

6-64-507. Medical indigents — Charges for costs in excess of quota — Payment or collection.

6-64-508. Medical indigents — Collections from patients.

6-64-509. Admissions of paying patients.

Preambles. Acts 1959, No. 259 contained a preamble which read: "Whereas, the Medical Center of the University of Arkansas, Little Rock, Arkansas, is a state institution supported from revenues derived from state taxes collected throughout the state; and

"Whereas, the use of the hospital, clinic and emergency facilities of such Center has been disproportionate according to

the population resident in the several counties and municipalities of the state in that certain counties and municipalities have utilized said Center to the degree that other counties and municipalities will be denied fair use of the state institution unless additional facilities be made available;

"Now, therefore..."

CASE NOTES

Standards of Indigency.

Nothing in this subchapter mandates that a hospital adopt standards for determining medical indigency based upon the patient's ability to pay which follow national and local guidelines, since this sub-

chapter plainly lacks language making it incumbent on a hospital to adopt specific standards. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-501. Purpose of subchapter.

It is the purpose and intent of this subchapter to provide for a fair and equitable apportionment for the use of the facilities and services of the State Medical Center among the various counties of this state, and among all cities having in excess of ten thousand (10,000) population for the treatment of medical indigents, and to provide a method and procedure for charging such counties, and cities having over ten

thousand (10,000) population, for services received by medical indigents at the medical center in excess of the allowed quotas.

History. Acts 1959, No. 259, § 4; A.S.A. 1947, § 80-2925.

CASE NOTES

In General.

The basic purpose of this subchapter is not to require standards of indigency, but to establish a quota system to distribute proportionately the cost of indigent care

among the counties, using population as a basis. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-502. Admission of other patients not affected by subchapter.

Nothing in this subchapter shall be construed to interfere with the admission of patients at the State Medical Center who have the ability to pay for medical care received, nor shall this subchapter interfere with or affect the admission of welfare patients at the medical center where the cost of such care is paid by the Department of Human Services according to an approved plan for medical care and hospitalization established for public welfare patients by the department.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-503. Medical indigents — Determination of status.

(a) As used in this subchapter, unless the context otherwise requires, medical indigents shall include all residents of this state who are unable to pay part or all of the cost of necessary medical and hospital services, but shall not include any person for whom medical and hospital services are paid by the Department of Human Services.

(b) Each county judge or chief administrative officer of a municipality affected by this subchapter is authorized to establish necessary rules and regulations to be followed in determining medical indigency of persons seeking admission to the medical center under the provisions of this subchapter.

History. Acts 1959, No. 259, § 4; A.S.A. 1947, § 80-2925.

CASE NOTES

Standards of Indigency.

This subchapter does not mandate that a hospital adopt standards for determining medical indigency based upon the patient's ability to pay which follow national and local guidelines, since this subchapter plainly lacks language making it incum-

bent on a hospital to adopt specific standards. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

This section authorizes, but does not direct, county judges or chief administrative officers of municipalities to establish

rules in determining medical indigency, and this is the mere delegation of authority. *Hubbard v. University of Ark. Medical Sciences*, 272 Ark. 500, 616 S.W.2d 10 (1981).

6-64-504. Admission as medical indigent — Certification procedure.

(a)(1) In all cases where a resident of a county or municipality assigned a quota in § 6-64-505 seeks to use the quota to defray any part of the expense of his or her medical service, including hospitalization, at the State Medical Center, the resident must first have been determined by his or her county judge or chief administrative officer of his or her municipality to be unable to pay for all or any part of the service.

(2) The county judge or chief administrative officer may then certify in writing that the resident is eligible for such care.

(3) There shall be no charge made against the county or municipality for medical care until the person shall be so certified, unless the certification is waived as authorized in this section.

(b)(1)(A) The county judge or chief administrative officer may elect to waive the above certification procedure, except that such waiver shall not apply to counties or cities which, in the preceding year, have recorded a total of two thousand (2,000) or more patient days at the medical center. In such event, individual certification of patients will be required as a prerequisite to admission of such patients to the medical center hospital.

(B) In counties and cities where waiver of individual certification is applicable, individual certification of patients will be required in all cases where the hospitalization of the patient would cause the current month's quota to be exceeded.

(2) The judge or officer waiving the certification procedure must so notify the medical center in writing.

(3) It shall be the duty of the medical center to notify the county judge or administrative officer at the time the rate of use of his or her county or municipal quota shall have been exceeded. However, any county, or municipality of over ten thousand (10,000) population, may enter into an agreement in writing with the medical center for the admission of medical indigents with acute emergency conditions to be charged against the quota of such county or city without requiring the certification procedure mentioned above.

(c) Certification of patients by any municipality or county may be by telephone if the date of the telephone conversation, the name of the county judge, or chief administrative officer of the city, authorizing the certification, and all other necessary information is reduced to writing by the appropriate official of the medical center and maintained in a file as a public record.

(d)(1) Any person certified to the medical center as a medical indigent who has the ability to pay for a part of the cost of the medical or hospital care received shall pay such part of the cost of care received and that amount paid shall be allowed as a credit against any charge

against the county or municipality for such service during the calendar month in which payment is received.

(2) In the case of those medical indigents who are able to pay a part of the cost of their medical and hospital care, such fact shall be so stated in the certification from the county or city, which certification may include an estimate of the portion of medical and hospital costs the patient is able to pay, if any.

(e)(1) In the case of any county having one (1) or more cities of over ten thousand (10,000) population therein, the county judge of the county and the chief administrative officer of each such city may enter into an agreement for the establishment of a central certifying office from which all patients admitted to the State Medical Center as medical indigents from such county and the cities therein shall be certified.

(2) Upon the establishment of such a central certifying office, notice thereof shall be given to the Chancellor for Health Sciences, and all patients certified to the State Medical Center from such county or any city of ten thousand (10,000) or over population therein shall be charged against the quota of such county or city, as the case may be.

(f) The Department of Human Services shall assist any county or municipality affected by this subchapter, upon request therefor, in determining the economic status of any person seeking admission to the medical center as a medical indigent.

(g) It also shall be the duty of the medical center to investigate the ability of the patient or others chargeable with his or her support to pay the expense of the treatment and care rendered, taking into consideration the recommendation of the certifying official of the county or municipality involved.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-505. Medical indigents — Quota of patients from counties and municipalities.

(a) There is assigned and made available to each county in Arkansas the following quotas of medical services, including hospitalization, at the University of Arkansas Medical Center, herein referred to as the State Medical Center, to be utilized by the citizens of the respective counties and the municipalities therein according to the provisions of §§ 6-64-502, 6-64-504, 6-64-506, and 6-64-508.

(b) The quotas shall be computed as follows:

(1)(A) **HOSPITAL QUOTA.** Annually, on or before July 1, the Board of Trustees of the University of Arkansas shall certify to the Chancellor for Health Sciences of the University of Arkansas the total number of hospital beds estimated to be available for use, based upon funds available, during the next twelve-month period at the State Medical Center;

(B) The chancellor shall then multiply the total available beds so certified by three hundred sixty-five (365), the days in the year, and multiply the result thereof by eighty-five percent (85%), which is determined by the General Assembly as being the average normal occupancy of hospital beds to be expected by a hospital of this type. The result of such calculations shall be the net annual patient-day usage of the State Medical Center for the next twelve (12) months;

(C) The chancellor shall then prorate the net annual patient-day usage of the State Medical Center among the counties of this state in proportion to each county that the population of such county bears to the total population of all the counties of this state according to the most recent federal census figures available at the time of the annual calculation of the quota. The pro rata apportionment shall be the annual quota of hospital usage at the State Medical Center for each county;

(2) **QUOTAS OF CITIES OF OVER 10,000 POPULATION.** Each city of this state having a population of over ten thousand (10,000) according to the most recent federal census figures available at the time of figuring annual quotas under this subchapter shall be assigned an annual proportionate quota of hospital usage assigned to the county in which any such city is located, which city quota shall be computed in the proportion that the population of the city bears to the population of the county. The quotas assigned to any city of over ten thousand (10,000) population of hospital usage at the State Medical Center shall be deducted from the quota assigned to the county in which the city is located.

History. Acts 1959, No. 259, § 1; 1963, No. 183, § 1; A.S.A. 1947, § 80-2922.

CASE NOTES

Constitutionality.

Former similar law held unconstitutional where a city was singled out and included with the list of counties with an assigned quota. Since the effect of the law was to give preferential treatment to that

city and its county, the law was invalid as special and local legislation. *Board of Trustees v. Pulaski County*, 229 Ark. 370, 315 S.W.2d 879 (1958) (decision under prior law).

6-64-506. Medical indigents — Patients not charged against quotas.

Any patient admitted to the State Medical Center as a public welfare patient certified by the Department of Human Services, or any patient admitted to the State Medical Center who on admittance can guarantee, either by hospitalization insurance or cash deposit, at least fifty percent (50%) of the anticipated costs of treatment, shall not be charged against the quota of any county or municipality established pursuant to this subchapter.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-507. Medical indigents — Charges for costs in excess of quota — Payment or collection.

(a) The actual cost of hospitalization utilized in any calendar month at the State Medical Center by medical indigents as determined as provided in § 6-64-503 which is in excess of the dollar value at prevailing average per diem cost of one-twelfth ($\frac{1}{12}$) of the quotas set out in § 6-64-505 shall be charged to the county in which the recipient of the medical service resides or, in case a quota is assigned to the municipality in which the recipient resides, to the municipality.

(b)(1) No unused quota amounts remaining in any month may thereafter be used as a credit against charges in any other month.

(2) Furthermore, no unused portion of a quota during any month by any county shall be allowed as a credit against any other county that may have exceeded its quota during such month.

(c)(1) Each thirty (30) days a statement of charges due to the State Medical Center shall be mailed to the county judge or chief administrative officer of the municipality for the net cost of excess services, as defined in subsection (a) of this section, rendered during the calendar month preceding.

(2) Whenever the county or municipality fails to pay to the State Medical Center, within thirty (30) days, the net charges billed to the county or municipality for services in excess of the quotas established in § 6-64-505, the medical center shall make a certification to the Treasurer of State setting forth the names of the county or municipality as the case may be, the amount owed by the county or municipal corporation, and the period during which the unpaid debt shall have accrued.

(3) Upon receipt of the certification, the Treasurer of State shall withhold from such moneys as would otherwise be due such county or municipality from the general revenues of this state the amount needed to liquidate the debt and transfer the amount thereof to the University of Arkansas Medical Sciences Fund. Any remaining balance of such general revenues which would otherwise have been payable to the county or municipality shall be paid to such county or municipality as in the instance in which no withholding was made.

History. Acts 1959, No. 259, §§ 2, 3; 1963, No. 183, § 2; A.S.A. 1947, §§ 80-2923, 80-2924.

6-64-508. Medical indigents — Collections from patients.

(a) It further shall be the duty of the medical center to collect fees from patients in all cases where it is established that the patient is able to pay, either through insurance coverage or his or her own resources, a part or all of the medical or hospital costs incurred.

(b) Billings to patients shall be made on a periodic basis.

(c) In cases of willful refusal to pay, the medical center is directed to take whatever legal action is necessary to satisfy the account.

History. Acts 1959, No. 259, § 2; 1963, No. 183, § 2; A.S.A. 1947, § 80-2923.

6-64-509. Admissions of paying patients.

(a) For the purpose of improving the teaching program of the University of Arkansas College of Medicine and to provide a source of additional funds for the operation of the State Medical Center, the medical center is authorized and directed to admit for medical treatment persons who have the economic ability to pay for hospital and medical services rendered. However, before any such person shall be admitted for treatment as a paying patient, such person shall have agreed in writing for the supervised observation of his or her case by medical students of the College of Medicine.

(b) The State Medical Center shall, with the approval of the Board of Trustees of the University of Arkansas, establish a system of charges to be paid by paying patients for hospital and medical care rendered such paying patients at the medical center. If any person with ability to pay shall fail or refuse to pay for the cost of hospital and medical care received at the medical center, the medical center shall institute appropriate legal proceedings for the collection of the cost.

(c) Nothing in this section shall be construed to prohibit or limit the admission and treatment of charity or medical indigent patients at the medical center as may be authorized by law.

History. Acts 1959, No. 192, § 1; A.S.A. 1947, § 80-2926.

SUBCHAPTER 6 — SCHOOL OF LAW

SECTION.

- 6-64-601. Construction — Subchapter exclusive authority.
- 6-64-602. Establishment — Name.
- 6-64-603. [Repealed.]
- 6-64-604. State Legal Education Fund generally.
- 6-64-605. Levy of costs — Cash funds.
- 6-64-606. Levy of costs — Use and priorities of funds collected.
- 6-64-607. Financing authority.
- 6-64-608. Bonds — Authorizing resolution — Trust indenture.
- 6-64-609. Bonds — Terms and conditions.
- 6-64-610. Bonds — Execution and seal.
- 6-64-611. Bonds — Liability.
- 6-64-612. Bonds — Pledge of costs levied by subchapter.

SECTION.

- 6-64-613. Bonds — Contract with holders and owner.
- 6-64-614. Bonds — Tax exemption.
- 6-64-615. Bonds — Investment of funds of retirement or pension systems.
- 6-64-616. Bonds — Construction fund.
- 6-64-617. Bonds — Use of excess costs.
- 6-64-618. Outstanding bonds — Change in costs for payments.
- 6-64-619. Refunding bonds.
- 6-64-620. Construction of legal education facilities — Employment of professionals.
- 6-64-621. Evening law school division.

Effective Dates. Acts 1973, No. 207, § 17; Mar. 2, 1973. Emergency clause provided: "It has been found and it is hereby

declared by the General Assembly of the State of Arkansas that there are not available sufficient moneys to accomplish the

improvement of legal education in this State and that the immediate improvement of legal education in this State is essential to the improvement of the administration of justice in this State and to the continued welfare and development of this State and her inhabitants. Therefore, an emergency is declared to exist, and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1975, No. 19, § 4: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2)

year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1977, No. 245, § 2: July 1, 1977.

6-64-601. Construction — Subchapter exclusive authority.

(a) This subchapter shall be construed liberally.

(b) The enumeration of any object, purpose, power, manner, method, and thing shall not be deemed to exclude like or similar objects, purposes, powers, manners, methods, and things.

(c) This subchapter shall be the sole authority required for the accomplishment of the purposes of this subchapter.

History. Acts 1973, No. 207, § 14; A.S.A. 1947, § 80-2890.13.

6-64-602. Establishment — Name.

There is established a full-time law school, to be operated in Little Rock, Pulaski County, Arkansas, under the control and direction of the University of Arkansas at Little Rock, to be known as the University of Arkansas at Little Rock William H. Bowen School of Law, and to offer classes of legal instruction both in the daytime and in the evening.

History. Acts 1969, No. 262, § 1; 1975, No. 19, § 1; A.S.A. 1947, § 80-2883.

6-64-603. [Repealed.]

A.C.R.C. Notes. The repeal of this section by Acts 1995, No. 1256, has been deemed to supersede its amendment by Acts 1995, No. 1296. Acts 1995, No. 1296, § 35, made stylistic changes in (a)(1).

Publisher's Notes. This section, concerning the Legal Education Fund, was

repealed by Acts 1995, No. 1256, § 20, as amended by Acts 1995 (1st Ex. Sess.), No. 13, § 4. The section was derived from Acts 1973, No. 207, §§ 1, 8; 1977, No. 245, § 1; A.S.A. 1947, §§ 80-2890, 80-2890.7; Acts 1989, No. 543, § 1; 1991, No. 904, §§ 2, 20; 1995, No. 1296, § 35.

6-64-604. State Legal Education Fund generally.

(a) As used in this subchapter:

(1) "State Legal Education Fund" means the "University of Arkansas at Fayetteville Legal Education Fund" and the "University of Arkansas at Little Rock Legal Education Fund", respectively, and the moneys credited to each of the funds shall be used in connection with the legal education program of the of University of Arkansas at Fayetteville School of Law and the University of Arkansas at Little Rock William H. Bowen School of Law;

(2) "University" means the University of Arkansas at Fayetteville School of Law and the University of Arkansas at Little Rock William H. Bowen School of Law, respectively.

(b) All collections of the costs levied by this subchapter shall be paid by the collecting officer to the county treasurer and by the county treasurer credited on his or her records to a fund to be designated and known as the legal education fund.

(c) On the tenth day of the next succeeding month, the county treasurer shall remit by check all such collections to the Board of Trustees of the University of Arkansas, for credit to the following funds:

(1) Fifty percent (50%) thereof to the University of Arkansas at Fayetteville Legal Education Fund; and

(2) Fifty percent (50%) thereof to the University of Arkansas at Little Rock Legal Education Fund.

History. Acts 1973, No. 207, § 1; 1977, No. 245, § 1; A.S.A. 1947, § 80-2890.

6-64-605. Levy of costs — Cash funds.

(a) All collections of the costs levied by this subchapter are specifically declared to be cash funds, restricted in their use and dedicated and to be used solely as provided in this subchapter.

(b) The moneys shall not be deposited in the State Treasury but shall be deposited by the board as and when received, and in such bank as the board may from time to time select, to the credit of the State Legal Education Fund, and applied for the purposes authorized by this subchapter.

History. Acts 1973, No. 207, § 2; A.S.A. 1947, § 80-2890.1.

6-64-606. Levy of costs — Use and priorities of funds collected.

(a) All collections of the costs levied by this subchapter shall be used by the board solely for purposes of legal education, including academic, clinical, and continuing education, operated under the auspices and academic administration of the University of Arkansas School of Law, including, without limitation, financing the costs of:

(1) The construction, expansion, improvement, or equipping of buildings and facilities for legal education on the sites owned by the board

and located in or near the City of Fayetteville, Arkansas, or the City of Little Rock, Arkansas; and

(2) The operation of legal education programs.

(b) In determining the needs of legal education in Arkansas and in allocating funds to meet these needs from the levying of costs as provided in this subchapter, including funds derived from revenue bonds authorized in this subchapter, the board shall give first priority to the upgrading and maintenance of the University of Arkansas at Fayetteville School of Law to the end that such school shall, as quickly as funds permit, become a first class quality law school in the physical facilities, library content, faculty, administration, and operating program.

History. Acts 1973, No. 207, § 3;
A.S.A. 1947, § 80-2890.2.

6-64-607. Financing authority.

The board is authorized and empowered to issue revenue bonds from time to time in sufficient principal amounts and to use the proceeds of the bonds, together with any other available funds, for defraying the costs of accomplishing the purposes set forth in § 6-64-606(a)(1), paying all incidental expenses in connection therewith, paying the expenses of authorizing and issuing bonds, creating debt service reserves to secure the payment of the bonds, if the board deems that desirable, and making provision for the payment of interest on the bonds during construction, if the board deems that desirable.

History. Acts 1973, No. 207, § 4;
A.S.A. 1947, § 80-2890.3.

6-64-608. Bonds — Authorizing resolution — Trust indenture.

(a) The bonds shall be authorized by authorizing resolution of the board.

(b) The authorizing resolution may contain or may provide for the execution with a bank or trust company within or without the State of Arkansas of a trust indenture which may contain any other terms, covenants, and conditions that are deemed desirable by the board, including, without limitation, those pertaining to:

- (1) The maintenance of various funds and reserves;
- (2) The nature and extent of the security;
- (3) The issuance of additional bonds and the nature of the lien and pledge in that event;
- (4) The custody and application of the proceeds of the bonds;
- (5) The collection and disposition of revenues;
- (6) The investing and reinvesting, in securities specified by the board, of any moneys during periods when the moneys are not needed for authorized purposes; and

(7) The rights, duties, and obligations of the board and of the holders and registered owners of the bonds.

History. Acts 1973, No. 207, § 4;
A.S.A. 1947, § 80-2890.3.

6-64-609. Bonds — Terms and conditions.

(a) The bonds may be coupon bonds, payable to bearer, or may be registrable as to principal only or as to principal and interest, and may be made exchangeable for bonds of another denomination, may be in such form and denomination, may have such date or dates, may be stated to mature at such times, may bear interest payable at such times and at such rate or rates not exceeding ten percent (10%) per annum, may be made payable at such places within or without the State of Arkansas, may be sold by such method, may be made subject to such terms of redemption in advance of maturity at such prices, and may contain such terms and conditions, all as the board shall determine.

(b) The bonds shall have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to provisions as to registration, as set forth above.

History. Acts 1973, No. 207, § 4;
A.S.A. 1947, § 80-2890.3; Acts 1989, No.
679, § 1.

6-64-610. Bonds — Execution and seal.

(a)(1) The bonds shall be executed by the manual or facsimile signature of the chair of the board and by the manual signature of the secretary of the board.

(2) The coupons attached to the bonds shall be executed by the facsimile signature of the chair of the board.

(b) In case any of the officers whose signatures appear on the bonds or coupons shall cease to hold those offices before the delivery of the bonds or coupons, their signatures shall, nevertheless, be valid and sufficient for all purposes.

(c) Each bond shall be sealed with the seal of the university.

History. Acts 1973, No. 207, § 4;
A.S.A. 1947, § 80-2890.3.

6-64-611. Bonds — Liability.

(a) It shall be plainly stated on the face of each bond that:

(1) It has been issued under the provisions of this subchapter;

(2) The bonds shall be obligations only of the board;

(3) In no event shall they constitute an indebtedness for which the faith and credit of the State of Arkansas or any of its revenues are pledged; and

(4) The bonds are not secured by a mortgage or lien on any land or buildings belonging to the board or the State of Arkansas.

(b) No member of the board shall be personally liable on the bonds or for any damages sustained by anyone in connection with any contracts entered into in carrying out the purposes and intent of this subchapter unless he or she shall have acted with a corrupt intent.

History. Acts 1973, No. 207, § 5;
A.S.A. 1947, § 80-2890.4.

6-64-612. Bonds — Pledge of costs levied by subchapter.

(a) The bonds, principal and interest, shall be special obligations of the board secured by and payable from a pledge of all or a portion of the collections of the costs levied by this subchapter.

(b) The pledge of bonds shall constitute a prior pledge of, and claim on, such costs over any other claim arising out of, or pertaining to, any other authorized use of collections of such costs as specified in § 6-64-606.

(c) The bonds, principal and interest, shall not be secured by a pledge of any other appropriated funds or cash funds of the board or the university.

History. Acts 1973, No. 207, § 5;
A.S.A. 1947, § 80-2890.4.

6-64-613. Bonds — Contract with holders and owner.

(a) Any authorizing resolution and trust indenture shall, together with this subchapter, constitute a contract between the board and the holders and registered owners of the bonds.

(b) The contract and all covenants, agreements, and obligations therein shall be promptly performed in strict compliance with the terms and provisions of the contract.

(c) The covenants, agreements, and obligations of the board may be enforced by mandamus or other appropriate proceedings at law or in equity.

History. Acts 1973, No. 207, § 6;
A.S.A. 1947, § 80-2890.5.

6-64-614. Bonds — Tax exemption.

The principal and interest of bonds issued under this subchapter shall be exempt from all state, county, and municipal taxes, and the exemption shall include income, inheritance, and estate taxes.

History. Acts 1973, No. 207, § 9; A.S.A. 1947, § 80-2890.8.

A.C.R.C. Notes. Language excluding property taxes from the exemption provided by this section was deleted pursuant

to Arkansas Constitution, Amendment 57, § 1 and § 26-3-302. Arkansas Constitution, Amendment 57, § 1 provides that the General Assembly may classify intangible personal property for assessment at

lower percentages of value than other property and may exempt one or more classes of intangible personal property from taxation, or may provide for the taxation of intangible personal property

on a basis other than ad valorem. Section 26-3-302 exempts all intangible personal property in this state from all ad valorem tax levies of counties, cities, and school districts in the state as of January 1, 1976.

6-64-615. Bonds — Investment of funds of retirement or pension systems.

The board of trustees of any retirement or pension system created by the General Assembly of the State of Arkansas may, in its discretion, invest its funds in bonds issued under this subchapter.

History. Acts 1973, No. 207, § 10; A.S.A. 1947, § 80-2890.9.

Publisher's Notes. Acts 1977, No. 793, § 11, provided, in part, that after July 1, 1977, the authority of public retirement systems to invest in bonds, pursuant

to this section should be construed to authorize the making of such investments only in accordance with procedures established by T. 24, ch. 3 with respect to the systems governed by T. 24, ch. 3.

6-64-616. Bonds — Construction fund.

(a) The board shall include necessary provisions in the authorizing resolution or trust indenture to require the deposit of the proceeds of each bond issue, except the accrued interest, which shall be deposited in the bond fund, into a special construction fund which shall be a trust fund in such depository as the board shall designate.

(b) The depository shall be a member of the Federal Deposit Insurance Corporation, and all moneys in excess of the amount insured by the Federal Deposit Insurance Corporation must be secured by direct obligations of the United States unless invested in securities specified by the board.

(c) The moneys in the construction fund shall be used solely for the purposes set forth in § 6-64-606.

History. Acts 1973, No. 207, § 12; A.S.A. 1947, § 80-2890.11.

6-64-617. Bonds — Use of excess costs.

Subject to the provisions of any authorizing resolution or trust indenture securing payment of any bonds outstanding under this subchapter, collections of the costs levied by this subchapter in excess of the amounts necessary to provide for the payment of bonds, including principal and interest, may be used as determined by the board from time to time for accomplishing any purposes set forth in § 6-64-606.

History. Acts 1973, No. 207, § 5; A.S.A. 1947, § 80-2890.4.

6-64-618. Outstanding bonds — Change in costs for payments.

So long as there are outstanding any bonds to which collections of the costs levied by this subchapter are pledged, the General Assembly may eliminate, modify, or otherwise change the costs levied by this subchapter. These changes may be made only on the condition that there is always maintained in effect and made available for the payment of outstanding bonds sources of revenue which produce revenues at least sufficient in amount to provide for the payment of the principal of and interest on the outstanding bonds and to comply with all covenants, including, without limitation, the maintenance of funds and reserves, in favor of the holders or registered owners of the outstanding bonds or the trustee for the holders or registered owners of the outstanding bonds.

History. Acts 1973, No. 207, § 7;
A.S.A. 1947, § 80-2890.6.

6-64-619. Refunding bonds.

(a) Bonds may be issued for the purpose of refunding any bonds issued under this subchapter.

(b)(1) Refunding bonds may either be sold or delivered in exchange for the bonds being refunded.

(2) If sold, the proceeds may be either applied to the payment of the bonds being refunded or deposited in trust and there maintained in cash or investments for the retirement of the bonds being refunded as shall be specified by the board in the resolution or trust indenture securing the refunding bonds.

(c) The resolution or trust indenture securing the refunding bonds may provide that the refunding bonds shall have the same priority of pledge as was enjoyed by the bonds refunded.

(d) Refunding bonds shall be sold and secured in accordance with the provisions of this subchapter pertaining to the sale and security of bonds.

History. Acts 1973, No. 207, § 13;
A.S.A. 1947, § 80-2890.12.

6-64-620. Construction of legal education facilities — Employment of professionals.

(a) The board is authorized to employ architects to prepare plans, specifications, and estimates of cost for the construction of legal education facilities and to supervise and inspect the construction.

(b) After the board has approved the plans and specifications prepared by the architect, it shall proceed to advertise for bids and contract for the construction of the public buildings in accordance with applicable laws governing the construction of public buildings.

(c) In addition, the board is authorized to engage and pay such professional, technical, and other help as it shall determine to be

necessary or desirable in assisting it to carry out effectively the authorities, functions, powers, and duties conferred and imposed upon it by this subchapter.

History. Acts 1973, No. 207, § 11;
A.S.A. 1947, § 80-2890.10.

6-64-621. Evening law school division.

The Board of Trustees of the University of Arkansas is directed and authorized to establish and operate at Little Rock, Arkansas, an evening division of its school of law as an expansion of its program of legal instruction, research, and extension.

History. Acts 1965, No. 525, § 10.

SUBCHAPTER 7 — AGRICULTURAL EXPERIMENT STATIONS

SECTION.

- 6-64-701. Acceptance of federal aid.
- 6-64-702. Course of study.
- 6-64-703. Investigations and recommendations by director.
- 6-64-704. Investigation and classification of soils.
- 6-64-705. Main Agricultural Experiment Station — Branch stations generally.
- 6-64-706. Central Branch Station.
- 6-64-707. Rice Branch Experiment Station.
- 6-64-708. Fruit and Truck Branch Experiment Station.
- 6-64-709. Cotton Branch Experiment Station.

SECTION.

- 6-64-710. Livestock and Forestry Branch Experiment Station.
- 6-64-711. Seed-testing laboratory.
- 6-64-712. Bureau of Research and Statistics generally.
- 6-64-713. Authority to make a contract with United States Government.
- 6-64-714. Cooperation of bureau with federal agencies — Reporting by state unaffected.
- 6-64-715. Use of material and information in publications.

Cross References. Soil conservation, university as agent for federal act, § 15-21-401 et seq.

Preambles. Acts 1921, No. 542 contained a preamble which read: "Whereas, the Federal Government makes an annual appropriation to the Bureau of Soils of the United States Department of Agriculture for soil survey work; and,

"Whereas, said bureau has offered and agreed to cooperate with the State of Arkansas through the State Experiment Station in such work and to furnish and pay expenses of men to do such work provided the State can furnish an equal number of men to take care of the expenses of soil analysis and other incidental expenses; and,

"Whereas, a thorough scientific soil survey is the basis for further investigation of soil need, maintenance of fertility, and methods of handling soils and growing crops;

"Therefore..."

Acts 1935, No. 127 contained a preamble which read: "Whereas, sections 7343-49, both inclusive, of Crawford & Moses Digest, authorized the State Plant Board, when read in connection with Act No. 65 of the General Assembly, approved March 2, 1933, to cooperate with the Bureau of Agricultural Economics of the United States Department of Agriculture in the work of collecting, tabulating, interpreting and disseminating statistical informa-

tion concerning crops and livestock in Arkansas;

"And Whereas by Act 153 of the General Assembly, approved March 25, 1933, the status of the powers and duties as originally set forth in said Sections 7343-49, both inclusive, was inadvertently left open to legal questions;

"And Whereas it is deemed expedient by the General Assembly that the State Plant Board continue to cooperate with the said Bureau of Agricultural Economics;

"Therefore...."

Effective Dates. Acts 1905, No. 231, § 10: approved May 1, 1905.

Acts 1919, No. 664, § 10: approved Apr. 1, 1919. Emergency clause provided: "This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act shall take effect and be in force from and after its passage."

Acts 1923, No. 753, § 9: approved Mar. 28, 1923. Emergency declared.

Acts 1923, No. 754, § 9: approved Mar. 28, 1923. Emergency declared.

Acts 1923, No. 755, § 9: approved Mar. 28, 1923. Emergency declared.

Acts 1927, No. 290, § 7: effective on passage.

Acts 1935, No. 127, § 8: approved Mar. 19, 1935. Emergency clause provided: "It is found as a fact that the law authorizing the State Plant Board to cooperate with the United States government in compiling crop and livestock statistics has been inadvertently left open to legal question and that it is very necessary that said cooperation be continued, thereby preventing a great loss in statistical information to the citizens of Arkansas. This act is declared to be necessary for the preservation of the public health, peace and safety, therefore, an emergency is declared and

this act shall take effect and be in force from and after its passage."

Acts 1937, No. 361, § 5: Mar. 25, 1937. Emergency clause provided: "Whereas, a large percentage of farm lands in the eastern Ozark region either remains undeveloped for agricultural purposes, or has been developed but is now lying idle because of soil depletion, and,

"Whereas, there is immediate need for pasture development and otherwise for finding new uses for said land; and

"Whereas, the establishment of said experiment station is necessary for the proper protection of the public peace, health and safety; therefore an emergency is hereby declared to exist and this act shall become effective immediately upon its passage by the General Assembly and approval of the Governor."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-64-701. Acceptance of federal aid.

The assent of the General Assembly is given to the purpose of the grants made in 7 U.S.C. § 361a et seq., and the Board of Trustees of the University of Arkansas is authorized and empowered to accept any sums coming to the State of Arkansas under that federal act and to apply them for the benefit of the Agricultural Experiment Station in accordance with the terms and conditions expressed in the Act of Congress referred to above.

History. Acts 1927, No. 290, § 5.

Publisher's Notes. Acts 1889, No. 29, § 1 accepted the appropriation made to Arkansas by 7 U.S.C. §§ 301-305, 307, and 308, in trust, and assigned the mon-

neys received for use and disbursement to the University of Arkansas at Fayetteville under the provisions of 7 U.S.C. §§ 301-305, 307, and 308.

6-64-702. Course of study.

The Board of Trustees of the University of Arkansas shall establish a course of study in connection with the Main Agricultural Experiment Station for the students who desire to be instructed in practical agriculture, horticulture, entomology, veterinary, and related subjects, in order that these branches of education may be developed as rapidly as possible and be diffused among those involved in agriculture.

History. Acts 1905, No. 231, § 1, p. 587; C. & M. Dig., § 9565; Pope's Dig., § 13166; A.S.A. 1947, § 80-2827.

6-64-703. Investigations and recommendations by director.

(a) The Director of the Main Agricultural Experiment Station shall make investigations in all sections of the state upon the subjects of agriculture, horticulture, veterinary, entomology, and related subjects and shall examine and advise remedies for diseased or infected crops, the proper care of cultivated lands, including how to restore wastelands, care of timber, care and treatment of orchards, and all matters relating to horticulture and agriculture.

(b) The director shall publish bulletins covering all investigations made and results obtained under the provisions of subsection (a) of this section and in connection with reports made from the station for dissemination throughout the state.

History. Acts 1905, No. 231, §§ 3, 6, p. 587; C. & M. Dig., §§ 9567, 9568; Pope's Dig., §§ 13168, 13169; A.S.A. 1947, §§ 80-3002, 80-3003.

6-64-704. Investigation and classification of soils.

(a) The Director of the Main Agricultural Experiment Station is authorized to expend such sums as may be provided and necessary for the purpose of conducting a scientific investigation of the soils of the counties of the State of Arkansas, classifying and locating the different soils, surveying and mapping such soils, describing, analyzing, and examining the soils and otherwise locating the various types and kinds of soil in the counties of this state and ascertaining their constituent elements of plant food, their plant food deficiencies, and any other information regarding the soils which will be helpful to the agricultural interest of the state and printing, publishing, and distributing reports and soil maps of the areas surveyed. This work may be conducted in cooperation with the Agricultural Research Service of the United States Department of Agriculture and with the several counties of the State of Arkansas.

(b) The director is authorized to employ competent assistants and soil surveyors to make surveys, to fix their compensation, to purchase necessary supplies and equipment, to pay travel and such other expenses as may be necessary to carry out the provisions of this section, including cost of printing, publishing, and distributing reports of the soil surveys.

(c) The county courts and tax levying boards are authorized and empowered to make appropriations out of the general revenue fund of the county for the purpose of cooperating with the Main Agricultural Experiment Station in carrying out the provisions of this section.

History. Acts 1921, No. 542, §§ 1-3; Pope's Dig., §§ 13170-13172; A.S.A. 1947, §§ 80-3004 — 80-3006.

6-64-705. Main Agricultural Experiment Station — Branch stations generally.

(a) The experiment station located at the University of Arkansas shall remain at that point as a permanent institution.

(b) It shall be known as the Main Agricultural Experiment Station of the University of Arkansas and shall continue as heretofore.

(c) All other agricultural experiment stations which may be established by this subchapter shall be considered as branch stations.

(d) The Director of the Main Agricultural Experiment Station shall establish and maintain such branch stations as the circumstances may require and as allowed by appropriations, provided there is one (1) established in southern Arkansas, one (1) in eastern Arkansas, and one (1) in central-western Arkansas, at locations where the best advantages are offered to accomplish the most good.

History. Acts 1905, No. 231, § 2, p. § 9566; Pope's Dig., § 13167; A.S.A. 1947, 587; 1919, No. 664, § 2; C. & M. Dig., § 80-3001.

6-64-706. Central Branch Station.

(a) There is created and established by the State of Arkansas an agricultural station and model farm combined in central Arkansas, to be located as provided in subsection (j) of this section and to be known as the Central Branch Station of the Main Agricultural Experiment Station of the University of Arkansas.

(b) The scope and work of the institution shall be to:

(1) Conduct scientific experiments in the several branches of agriculture;

(2) Breed and distribute at reasonable prices pure-bred livestock and pure seed of high yielding strains of the staple field crops of the state with a view to further development of the agricultural industry of the state;

(3) Disseminate through bulletins and reports the results of experiments made at the station;

(4) Lay out and conduct a model farm of not less than forty (40) acres nor more than eighty (80) acres; and

(5) Furnish the farmers and planters of the state such information relative to the various plants and animals of the state as may be available to the assistant director.

(c) The branch station and the work and experiments conducted therein and thereon shall be under the direction of the Main Agricultural Experiment Station of the University of Arkansas.

(d)(1) An assistant director shall be placed in charge of the central branch station.

(2) The assistant director shall reside on or in close proximity to the central branch station and shall be learned and skilled in scientific and practical agriculture and acquainted with the farm conditions of the state, so far as possible.

(e)(1) In addition to his or her other duties, the assistant director in charge shall keep an itemized account of all receipts and expenditures of the branch station, a report of which, together with all other matters pertaining to the branch station, shall be made by him or her annually to the Board of Trustees of the University of Arkansas.

(2) A complete report of the branch station shall be made by the board of trustees to the Governor at least thirty (30) days before the meeting of each General Assembly.

(f) The assistant director shall perform such other duties as may be directed by the Agricultural Experiment Station of the University of Arkansas.

(g) The assistant director shall have such assistance and labor furnished him or her as may be necessary to properly carry on the work of the institution.

(h)(1) The employees of the central branch station shall be elected or appointed by the same authority as those of the main station and shall receive such compensation as may be fixed by the same authority.

(2) Salaries of employees and running expenses of the station shall be paid out of funds provided therefor.

(i)(1) For the purpose of this section, a commission of seven (7) members is created.

(2) The commission shall be composed of the Governor, the Director of the Main Agricultural Experiment Station of the University of Arkansas, the assistant director, who is appointed for the central branch station, and four (4) farmers and planters of the state, who shall be appointed by the Governor.

(3) A secretary shall be elected by the commission from its own body.

(j)(1) It shall be the duty of the commission to decide upon the location of the station at some suitable, convenient, and accessible point in central Arkansas.

(2) In locating the station, the commission provided for in this section is authorized to accept donations of land, lumber, timber, implements, money, notes, other obligations, or any property which may be of use in establishing the station.

(3) The location shall be on a tract of not less than three hundred sixty (360) acres of tillable land of at least average fertility.

(4) The commission shall take a ten-year option on not less than six hundred forty (640) acres of adjoining land so that this adjoining land may later be purchased if found necessary.

(5) The location shall be within walking distance of a railroad station on some trunk line.

(k)(1) As soon as convenient after acquiring the property, there shall be erected thereon necessary buildings, outhouses, etc., and the station shall be properly supplied with tools, apparatus, stock, and other equipment necessary to successfully carry on the work of the station.

(2) For the details of buildings and equipment, the assistant director shall be primarily responsible, but he or she shall be directed by the commission and shall be responsible to the commission.

(l) The expenditures for all purposes shall not exceed the amount of the appropriation hereinafter provided to carry into effect this section.

(m) The members of the commission shall serve without special compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.

(n) All expense accounts are to be kept in itemized form and certified to by the Governor, who shall be the chair of the commission.

(o) The duties and authority of the commission shall terminate upon the completion of the establishment and proper equipment of the institution, after which time the board of trustees shall assume the same control of the station as they have over the Main Agricultural Experiment Station of the University of Arkansas.

(p)(1) The sum of fifty thousand dollars (\$50,000) is appropriated out of the funds of the State Treasury to carry this section into effect.

(2)(A) Not more than four-fifths ($\frac{4}{5}$) of this sum shall be expended by the commission created by this section in purchasing and optioning the necessary real estate, the erection of buildings, and in equipping the branch station.

(B)(i) No bills or accounts contracted or incurred shall be allowed or paid except upon the written order of the secretary of the commission directing the Auditor of State to draw his or her warrant on the Treasurer of State in favor of the person, firm, or corporation named in the order.

(ii) No such order is to be given by the secretary until all liens of whatever kind or character against the property involved shall have been first released or satisfied by the person holding the lien.

(3)(A) The remainder of the appropriation, the proceeds of the sales of the products of the branch station, and any other available funds which may be set apart by the board of trustees for the support of the station shall be expended in the same manner and through the same channels as other moneys expended for the Agricultural Experiment Station of the university.

(B) However, for the payment of small current accounts and bills, the trustees may provide a cash contingent fund from sales and any

other moneys that may be available, to be paid out by the assistant director by check drawn against proper vouchers, under the general direction of the trustees. The assistant director shall keep an accurate record of all such vouchers and checks and shall account to the trustees for them.

History. Acts 1919, No. 664, §§ 1, 3-9;
1997, No. 250, § 31.

6-64-707. Rice Branch Experiment Station.

(a) For the purpose of enabling the Main Agricultural Experiment Station to more fully carry out the purposes of the experiment station, to increase and make more efficient and useful the agricultural research and experimental work of the state, and to increase the facilities of the experiment station for its work in agriculture and horticulture, crops, soil, fertilizers, livestock, dairying, poultry production, and the insect enemies and plant and animal diseases injurious to the crops and livestock of the state, and the economic problem of farm management and marketing and the related problems of the farms of this state, and to make the results of the work available to all parts of the state, there is created a Rice Branch Experiment Station to be located at a point at or near the center of rice production.

(b) The Rice Branch Experiment Station shall be located on soils fairly representative of the soils in which rice is grown in the state and shall be devoted to investigational work relative to the problems of rice farmers, including rice production, rice varieties, soils, and soil management, irrigation, rotation, other crops for the rice farmer, livestock and poultry for the rice region, and the fruits and truck crops adapted to such system of farming together with the economic problems of the farmers of that section.

(c) It shall consist of not over three hundred twenty (320) acres of land.

(d) When selected, established, and equipped, the branch station shall be and remain the property of the State of Arkansas for the use and purposes set forth in this section and shall be under the administrative charge of the Board of Trustees of the University of Arkansas.

(e)(1) The director of the experiment station of the institution shall also be the Director of the Rice Branch Experiment Station, but there may be a superintendent at the station who shall be directly responsible to the Director of the Main Agricultural Experiment Station.

(2) The staff of scientists and the laboratories of the Main Agricultural Experiment Station shall serve, insofar as possible, the same purpose as the Rice Branch Experiment Station.

(3) The entire experimental work of the state shall be administered as one (1) institution for the benefit of the people of the state, including the Main Experiment Station, the Rice Branch Experiment Station, and the outlying field work in cooperation with farmers.

(f)(1) The Rice Branch Experiment Station shall be used by the board of trustees for the purpose of making investigations in and experiments

of rice culture, and related subjects connected with the problems of the farmers and rice growers of the State of Arkansas, including crop production, animal production and breeding, plant breeding, soil and soil fertility, insect pests, diseases of plants and animals and methods of their control or eradication, farm management, marketing, storage, preservation of farm products, and all other problems affecting the farms and farm life of the rice-producing section of Arkansas.

(2) The director shall publish bulletins and reports from time to time giving the results of the work of the experiment station and use every endeavor to disseminate the information secured.

History. Acts 1923, No. 753, §§ 1-3, 7;
Pope's Dig., §§ 13194-13196, 13200;
A.S.A. 1947, §§ 80-3009 — 80-3012.

6-64-708. Fruit and Truck Branch Experiment Station.

(a) For the purposes of enabling the Main Agricultural Experiment Station to more fully carry out the purpose of the experiment station, to increase and make more efficient and useful the agricultural research and experimental work of the state, to make the results of such work useful to the people of the state, to increase the facilities of the experiment station for its work in agriculture and horticulture, crops, soils, fertilizers, livestock, dairying, poultry production, the insect enemies and plant and animal diseases injurious to the crops and livestock of the state, the economic problems of farm management and marketing and the related problems of farms of this state, and to make the results of the experiment station's work available to all parts of the state, there is created a Fruit and Truck Branch Experiment Station to be located in southwest Arkansas at a point at or near the center of fruit and truck production in that area.

(b) The Fruit and Truck Branch Experiment Station shall be located on soils fairly representative of the soils on which the fruits and truck of the section are grown and shall be devoted to the investigational work relative to the problems of fruit and truck farmers, including fruit and truck production, varieties, soils and soil management, crop rotation, other crops for the fruit and truck farmers, livestock and poultry for the fruit and truck region, and any other crops adapted to such system of farming together with the economic problems of the farmers of that section.

(c) It shall consist of not over three hundred twenty (320) acres of land.

(d) When selected, established, and equipped, the branch station shall be and remain the property of the State of Arkansas for the use and purposes set forth in this section and shall be under the administrative charge of the Board of Trustees of the University of Arkansas.

(e)(1) The Director of the Main Agricultural Experiment Station of the University of Arkansas shall also be the Director of the Fruit and Truck Branch Experiment Station, but there may be a superintendent

at such station, who shall be directly responsible to the Director of the Main Agricultural Experiment Station.

(2) The staff of scientists and the laboratories of the Main Agricultural Experiment Station shall serve, insofar as possible, for the same purpose as to the Fruit and Truck Branch Experiment Station.

(3) The entire experimental work of the state shall be administered as one (1) institution for the benefit of the people of the state, including the Main Agricultural Experiment Station, the Fruit and Truck Branch Experiment Station, and the outlying field work in cooperation with farmers.

(f)(1) The Fruit and Truck Branch Experiment Station shall be used by the board of trustees for the purpose of making investigations in and experiments of fruit and truck culture, and related subjects connected with the problems of the farmers and fruit and truck growers of the State of Arkansas, including crop production, animal production and breeding, plant breeding, soils and soil fertility, insect pests, diseases of plants and animals and methods of their control or eradication, farm management, marketing, storage, preservation of farm products, and all other problems affecting the farms and farm life of that section of Arkansas.

(2) The director shall publish bulletins and reports from time to time giving the results of the work of the experiment station and use every endeavor to disseminate the information secured.

History. Acts 1923, No. 754, §§ 1-3, 7;
Pope's Dig., §§ 13180-13182, 13186;
A.S.A. 1947, §§ 80-3013 — 80-3016.

6-64-709. Cotton Branch Experiment Station.

(a) For the purpose of enabling the Main Agricultural Experiment Station to more fully carry out the purpose of that experiment station, to increase and make more efficient and useful the agricultural research and experiment work of the state, to make the results of such work useful to the people of the state, to increase the facilities of the experiment station for its work in agriculture and horticulture, crops, soil, fertilizers, livestock, dairying, poultry production, insect enemies, and plant and animal diseases injurious to the crops and livestock of the state, the economic problems of farm management and marketing, and the related problems of the farms of this state, and to make the results of the work available to all parts of the state, there is created a Cotton Branch Experiment Station to be located at a point at or near the center of cotton production.

(b) The Cotton Branch Experiment Station shall be located on soils fairly representative of the soils on which cotton is grown in the state and shall be devoted to investigational work relative to the problems of cotton farmers, including cotton production, varieties, soils, and soil management, irrigation, rotation, other crops for the cotton farmer, livestock and poultry for the cotton region, and the fruits and truck

crops adapted to such system of farming together with the economic problems of the farmers of that section.

(c) It shall consist of not over three hundred twenty (320) acres of land.

(d) When selected, established, and equipped, the branch station shall be and remain the property of the State of Arkansas for the use and purpose set forth in this section and shall be under the administrative charge of the Board of Trustees of the University of Arkansas.

(e)(1) The director of the experiment station of the institution shall also be the Director of the Cotton Branch Experiment Station, but there may be a superintendent at such station who shall be directly responsible to the Director of the Main Agricultural Experiment Station.

(2) The staff of scientists and the laboratories of the Main Agricultural Experiment Station shall serve, insofar as possible, for the same purpose as to the Cotton Branch Experiment Station.

(3) The entire experimental work of the state shall be administered as one (1) institution for the benefit of the people of the state, including the Main Agricultural Experiment Station, the Cotton Branch Experiment Station, and the outlying field work in cooperation with farmers.

(f)(1) The Cotton Branch Experiment Station shall be used by the board of trustees for the purpose of making investigations in and experiments of cotton culture and related subjects connected with the problems of the farmers and the cotton growers of the State of Arkansas, including crop production, animal production and breeding, plant breeding, soils and soil fertility, insect pests, diseases of plants and animals and methods of their control or eradication, farm management, marketing, storage, preservation of farm products, and all other problems affecting the farms and farm life of that section of the State of Arkansas.

(2) The director shall publish bulletins and reports from time to time giving the results of the work of the experiment station and use every endeavor to disseminate the information secured.

History. Acts 1923, No. 755, §§ 1-3, 7;
Pope's Dig., §§ 13187-13189, 13193;
A.S.A. 1947, §§ 80-3017 — 80-3020.

6-64-710. Livestock and Forestry Branch Experiment Station.

(a) For enabling the Main Agricultural Experiment Station to increase and make more efficient and useful the agricultural research and experimental work of the state and to increase the facilities for that work, with particular reference to livestock and poultry, pasture development, horticulture, soil erosion, land use, and forestry in the Ozark region, there is created a Livestock and Forestry Branch Experiment Station to be located in the north-northeastern part of the Ozark region.

(b) The Livestock and Forestry Branch Experiment Station shall be located on soils fairly representative of the soils on which livestock and forestry products are produced and shall be devoted to investigational

work relative to the problems of the farmers producing such products, together with such supplementary crops as may be adaptable to the region, and the acreage of the experiment station shall be sufficient to study livestock, forestry, pastures, supplementary crops, and land use problems.

(c) When selected, established, and equipped, the branch experiment station shall be and remain the property of the State of Arkansas for the use and purposes set forth in this section and shall be under the administration of the Board of Trustees of the University of Arkansas.

(d) The Director of the Main Agricultural Experiment Station shall also be the Director of the Livestock and Forestry Branch Experiment Station, but there may be an assistant director at such station who shall be directly responsible to the Director of the Main Agricultural Experiment Station.

History. Acts 1937, No. 361, § 1; Pope's Dig., § 13201; A.S.A. 1947, § 80-3021.

6-64-711. Seed-testing laboratory.

(a) The University of Arkansas is authorized to establish a seed-testing laboratory at Fayetteville for the purpose of doing research work on seeds and for the instruction of students in seed testing.

(b)(1) The university is further authorized to test samples of seeds for Arkansas residents and to charge fees for testing such samples in an amount not exceeding the cost of the work.

(2) The fees are to be deposited by the university in a bank and are to be expended by the university for the support of the laboratory.

History. Acts 1953, No. 96, § 1; A.S.A. 1947, § 80-3028.

6-64-712. Bureau of Research and Statistics generally.

(a) The Bureau of Research and Statistics is created to be under the supervision of the Main Agricultural Experiment Station.

(b)(1) The Main Agricultural Experiment Station is authorized to appoint two (2) competent assistants.

(2)(A) One (1) assistant shall be an efficient statistician who shall have had at least two (2) years' training in some college or university of recognized standing and who shall perform the work of gathering, compiling, and analyzing statistical data pertaining to the acreage, condition, yield, and production of crops, and numbers of various classes of livestock and farm values of each county in the state.

(B) The other assistant is to be a person competent to assist in collecting, compiling, and analyzing the statistical information.

(3) The assistants of the bureau shall take the oath of office prescribed by law before entering upon the discharge of their duties.

(c) The cooperative crop and livestock reporting work of the Bureau of Research and Statistics of the Main Agricultural Experiment Station

shall be designated and known as the Federal-State Crop Reporting Service for Arkansas, which name shall appear at the top of all letterheads used in answering correspondence and letters of inquiry pertaining to crops and livestock in Arkansas.

History. Acts 1935, No. 127, §§ 1, 4, 5; A.S.A. 1947, §§ 80-3022, 80-3025, 80-Pope's Dig., §§ 12402, 12405, 12406; 3026.

6-64-713. Authority to make a contract with United States Government.

The Main Agricultural Experiment Station is authorized to enter into a contract with the United States through the Secretary of Agriculture or any authorized representative by which the Bureau of Research and Statistics shall be the agency through which the experiment station shall cooperate with the Agricultural Marketing Service of the United States Department of Agriculture in the actual work of collecting, tabulating, interpreting, and disseminating statistical information concerning crops and livestock in Arkansas.

History. Acts 1935, No. 127, § 2; Pope's Dig., § 12403; A.S.A. 1947, § 80-3023.

6-64-714. Cooperation of bureau with federal agencies — Reporting by state unaffected.

(a) The Bureau of Research and Statistics shall collaborate with the representatives of the United States Agricultural Marketing Service in the collection and tabulation of crop statistics.

(b) However, nothing in §§ 6-64-712 — 6-64-715 shall prevent the State of Arkansas from collecting and publishing statistics concerning crops and livestock not reported by the Agricultural Marketing Service of the United States Department of Agriculture.

History. Acts 1935, No. 127, § 3; Pope's Dig., § 12404; A.S.A. 1947, § 80-3024.

6-64-715. Use of material and information in publications.

The Main Agricultural Experiment Station is authorized to use this material and information obtained through the Bureau of Research and Statistics in preparing, together with its assistants, publications on crops, livestock, and farm values.

History. Acts 1935, No. 127, § 6; Pope's Dig., § 12407; A.S.A. 1947, § 80-3027.

SUBCHAPTER 8 — GRADUATE INSTITUTE OF TECHNOLOGY**SECTION.**

- 6-64-801. Establishment.
6-64-802. Courses offered.
6-64-803. Funds.

SECTION.

- 6-64-804. Contributions, grants, etc.
6-64-805. Construction and improvements authorized.

Preambles. Acts 1957, No. 203 contained a preamble which read: "Whereas, it has been found that there exists an extreme need for additional graduate education and research in Arkansas, especially in engineering and related physical and technical sciences, in order to equip personnel for roles in the state's expanding economy, and particularly to provide for professional engineers, scientists, and similar persons opportunities for the continuation and completion of post graduate instruction and research such as are available in other urban and industrialized centers of the country, and

"Whereas, it has been amply demonstrated that lack of complete implementation of this program of higher education in hampering the industrial location and ex-

pansion efforts of the State of Arkansas and its Arkansas Industrial Development Commission (AIDC), and, in fact, Arkansas has already lost at least two industries employing several thousand employees because of post-graduate facilities for its scientific and technical staff were not available, while other industries seeking sites, as well as those already in Arkansas, are now urging that such Graduate Institute be established, and

"Whereas, the expansion of an adequate financial support for an Institute of this kind would contribute to the general welfare of the whole state both in terms of educational opportunity and industrial development,

"Now, therefore..."

6-64-801. Establishment.

The Board of Trustees of the University of Arkansas is authorized to establish and operate at Little Rock the Graduate Institute of Technology as an expansion of its graduate program of instruction and research.

History. Acts 1957, No. 203, § 1;
A.S.A. 1947, § 80-2861.

6-64-802. Courses offered.

The Graduate Institute of Technology and its staff may offer graduate resident instruction and opportunities for creative basic and applied research in the fields of physical, technical, and other sciences which include, but are not limited to, engineering, including electronics, advanced theoretical and applied chemistry, and advanced theoretical and applied physics. The institute and its staff may also engage in research projects.

History. Acts 1957, No. 203, § 2;
A.S.A. 1947, § 80-2862.

6-64-803. Funds.

The Board of Trustees of the University of Arkansas may exercise its authority as required to establish and maintain the Graduate Institute of Technology to the extent that moneys are especially appropriated from state funds for that purpose or made available to the board according to § 6-64-804.

History. Acts 1957, No. 203, § 3;
A.S.A. 1947, § 80-2863.

6-64-804. Contributions, grants, etc.

For the purpose of financing the Graduate Institute of Technology authorized to be established by this subchapter, the Board of Trustees of the University of Arkansas may accept contributions of moneys, equipment, services, and property from cooperating industries or others and may receive grants-in-aid for such purpose and perform contractual and other research.

History. Acts 1957, No. 203, § 5;
A.S.A. 1947, § 80-2865.

6-64-805. Construction and improvements authorized.

The authority of the Board of Trustees of the University of Arkansas to remodel, reconstruct, and improve property for the location of the Graduate Institute of Technology is recognized.

History. Acts 1957, No. 203, § 4;
A.S.A. 1947, § 80-2864.

SUBCHAPTER 9 — CENTER FOR RESEARCH, EDUCATION AND TECHNICAL EXTENSION, AND GRADUATE EDUCATION

SECTION.

- 6-64-901. Establishment and operation authorized.
- 6-64-902. Divisions of center.
- 6-64-903. Advanced instruction, research, and educational services — Purposes.
- 6-64-904. Computer and technical library facilities.
- 6-64-905. Authority to contract to perform research services — Acceptance of grants and gifts.

SECTION.

- 6-64-906. Research guidance and assistance to government, education, and business interests.
- 6-64-907. Expansion and reorganization to be from surplus financial resources — Authorized use of resources.
- 6-64-908. Leases and contracts authorized.

Preambles. Acts 1965, No. 443 contained a preamble which read: "Whereas, the State of Arkansas has made rapid

progress in recent years, through the efforts of all of its citizens, to improve educational opportunities from the elemen-

tary schools through doctoral programs in higher education, while at the same time we have acted concertedly to diversify the general economy of Arkansas and encourage industrial progress and business growth as a complement to the well-developed agricultural economy of which the State is so proud; and,

"Whereas, educational advancements of a space age have opened new vistas in basic and applied research and development, and in the application of the findings of higher education, and its techniques, to improvement of the economy, betterment of the condition of man in society, scientific development and the productivity of industry, as well as the application of technology, research and planning to the business community, and necessary instruction, training and advanced education to implement the wise utilization of these achievements of higher education are now required; and,

"Whereas, the beginning efforts made by the citizens of Arkansas toward uniting higher education of quality with the economic and material well-being of our State so well exemplified by the Industrial Research and Extension Center and the Graduate Institute of Technology should

be enhanced and fostered for the acceleration of further progress in Arkansas;

"Now, therefore..."

Effective Dates. Acts 1965, No. 443, § 9: Mar. 20, 1965. Emergency clause provided: "It is hereby found and determined by the General Assembly that Arkansas is rapidly changing from an agricultural economy to an industrial economy; that it is essential to the industrial growth of Arkansas that adequate facilities be provided in this State for providing instruction, research and training in the physical and natural sciences, engineering and technological fields, and for coordinating statewide research activities in order to avoid duplication of efforts; that the Arkansas Center for Research, Education and Technical Extension created by this Act will provide such facilities, research and training, and that this Act is immediately necessary in order that said facilities may be provided as soon as possible. Therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval."

6-64-901. Establishment and operation authorized.

The Board of Trustees of the University of Arkansas is authorized to establish and operate an Arkansas Center for Research, Education and Technical Extension, and Graduate Education and to provide for the location thereof in central Arkansas.

History. Acts 1965, No. 443, § 1; A.S.A. 1947, § 80-2866.

6-64-902. Divisions of center.

(a) The Arkansas Center for Research, Education and Technical Extension, and Graduate Education shall include as component divisions the Graduate Institute of Technology, the Industrial Research and Extension Center, and the Little Rock Graduate Center.

(b) As the Board of Trustees of the University of Arkansas effects the reorganization and expansion of its programs of instruction, research, and educational services, it may include other functions deemed to be related to the purposes of the center.

History. Acts 1965, No. 443, § 2;
A.S.A. 1947, § 80-2867.

6-64-903. Advanced instruction, research, and educational services — Purposes.

The Arkansas Center for Research, Education and Technical Extension, and Graduate Education and its faculty and staff may offer advanced instruction and engage in research and educational services in the fields of physical and natural sciences, engineering, business, economics, and social sciences and related fields for the purpose of enhancing education in, research and development about, and application of the learning available now and in the future, from the academic disciplines named above in order to meet the educational needs of Arkansas and its people and bring about the close cooperation required between education and the scientific, business, and economic growth and development in Arkansas.

History. Acts 1965, No. 443, § 3;
A.S.A. 1947, § 80-2868.

6-64-904. Computer and technical library facilities.

The Board of Trustees of the University of Arkansas is authorized to include within the Arkansas Center for Research, Education and Technical Extension, and Graduate Education, for the use of all of its divisions and personnel, computer facilities and technical library facilities to support the work of the center.

History. Acts 1965, No. 443, § 4;
A.S.A. 1947, § 80-2869.

6-64-905. Authority to contract to perform research services — Acceptance of grants and gifts.

(a) The authority of the Board of Trustees of the University of Arkansas to enter into agreements for the performance by the center of contract research for governmental bodies, private industries, private development organizations, and persons, firms, and associations engaged in industrial development, business, natural resource development and use, planning, and related activities is fully recognized.

(b) The board may also accept public or private grants, gifts, and donations for the use of the center.

History. Acts 1965, No. 443, § 5;
A.S.A. 1947, § 80-2870.

6-64-906. Research guidance and assistance to government, education, and business interests.

The Arkansas Center for Research, Education and Technical Extension, and Graduate Education located and operated as provided in this

subchapter will offer research, guidance, and assistance to government, education, and business interests in the State of Arkansas in order to achieve guidelines for Arkansas development and to minimize duplication of efforts.

History. Acts 1965, No. 443, § 6;
A.S.A. 1947, § 80-2871.

6-64-907. Expansion and reorganization to be from surplus financial resources — Authorized use of resources.

(a) The expansion and reorganization provided for in this subchapter shall be effected by the Board of Trustees of the University of Arkansas as additional financial resources become available to it above the level of financial requirements for its present programs, including the Graduate Institute of Technology, the Industrial Research and Extension Center, and the Little Rock Graduate Center.

(b) Financial resources made available may be used for maintenance, operation, personnel services, construction of facilities, and improvement of the center.

History. Acts 1965, No. 443, § 7;
A.S.A. 1947, § 80-2872.

6-64-908. Leases and contracts authorized.

The Board of Trustees of the University of Arkansas is authorized to negotiate leases and enter into contracts with private and public agencies or organizations for the establishment of research and development facilities.

History. Acts 1965, No. 443, § 8;
A.S.A. 1947, § 80-2873.

SUBCHAPTER 10 — FINANCES

SECTION.

- 6-64-1001. Penalty.
- 6-64-1002. Application of funds for specified purposes only.
- 6-64-1003. Bond given United States to secure use of arms for military.
- 6-64-1004. Athletics Instruction Fund.
- 6-64-1005. Employees to file monthly accounts.
- 6-64-1006. Dealers' accounts.
- 6-64-1007. Statement to be itemized for allowance and payment.

SECTION.

- 6-64-1008. Claims allowed and ordered paid to be listed.
- 6-64-1009. Funds excepted from application of §§ 6-64-1006 — 6-64-1008.
- 6-64-1010. Funding of transportation research and education program.
- 6-64-1011. [Repealed.]
- 6-64-1012. Additional compensation for athletic department.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-64-1001 — 6-64-1010 may not apply to § 6-64-1012 which was enacted subsequently.

Cross References. Method of presenting claims, § 25-17-102.

Preambles. Acts 1945, No. 286 contained a preamble which read: "Whereas, Arkansas is represented in intercollegiate football competition with teams of all sections of the nation by the University of Arkansas; and

"Whereas, it is essential to the success of the University teams that the many outstanding athletes developed in the State's High Schools attend the University and participate in its athletics program; and

"Whereas, the boys who make up University teams are entitled to the best possible instruction to enable them to complete credentials with other Universities;

"Whereas, Glen Rose, in 1944, his first year as head football coach attracted much favorable comment to his home State and his Alma Mater by producing a team that performed with notable success in and out of the Southwest Conference, despite the fact that most of the institutions which his team encountered included on their teams many Navy trainees, while Arkansas' squad was made up necessarily of players classified 4-F by Selective Service or else too young to be drafted; and

"Whereas, continued success by Coach Rose inevitably will lead to tempting offers from other schools; and, whether or not he should choose to remain at the University of Arkansas, it is necessary that the institution be in position to provide its teams with as excellent coaching as can be had..."

Effective Dates. Acts 1901, No. 126, § 3: effective on passage.

Acts 1915, No. 289, § 16: approved Mar. 27, 1915. Emergency declared.

Acts 1945, No. 286, § 6: approved Mar. 20, 1945. Emergency clause provided: "It is a matter of vital concern to the students of the University of Arkansas, to their parents, and to the taxpayers who maintain the University, that the head football coach always be one who commands respect in this State and elsewhere, who instills in players a proper attitude of wholesome sportsmanship and who is ca-

pable of instructing them with such proficiency that the entire State will take pride in their records; therefore, the General Assembly finds and declares that an emergency exists and that this act, being necessary for the preservation of the public peace, health and safety shall be in full force and effect immediately upon its passage."

Acts 1973, No. 200, § 5: Mar. 2, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that the transportation policy of the State of Arkansas will be fostered and that sound economic conditions in transportation, vitally important in the regulation thereof, will result if immediate steps are undertaken to enhance transportation through studies, research, industry seminars, and similar educational activities relating to that subject; and whereas it is highly important to the achievement of these purposes that these activities be undertaken immediately so that the results thereof may be put into practical application at an early date; now therefore, it has been found, and is hereby declared by the General Assembly of the State of Arkansas that it is imperative that this Act become effective immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall take effect and be in full force from and after its passage and approval."

Acts 1995, No. 1161, § 18: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

6-64-1001. Penalty.

Any officer or employee who shall violate any of the provisions of §§ 6-64-213, 6-64-1005 — 6-64-1009 shall be fined any sum not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) and immediately removed from office.

History. Acts 1915, No. 289, § 15; C. & M. Dig., § 9560; Pope's Dig., § 13209; A.S.A. 1947, § 80-2847.

6-64-1002. Application of funds for specified purposes only.

The General Assembly, in appropriating moneys for the benefit of the University of Arkansas, shall specify the precise amount that it intends to appropriate for each and every purpose; and the trustees of the institution shall apply each sum as thus directed, and in no other way.

History. Acts 1883, No. 30, § 1, p. 52; C. & M. Dig., § 9561; Pope's Dig., § 13210; A.S.A. 1947, § 80-2848.

Publisher's Notes. Acts 1945, No. 249, provided: "Whereas, by acceptance of the grant of the United States, as provided by the Act of Congress, approved July 2, 1862, entitled, "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts", the State of Arkansas covenanted to invest the moneys, derived from the grants of land so received, in interest bearing obligations of the State of Arkansas or the United States of America; and

"Whereas, the University of Arkansas was designated as the college to receive the endowment, which is now represented by \$132,666.67 principal amount of bonds of the State of Arkansas, known as University of Arkansas Endowment Fund Bonds maturing on July 1, 1947; and

"Whereas, by reason of the improved financial condition of the State of Arkansas, the time is opportune (1), to reduce the bonded debt of the State of Arkansas and (2), to invest the University of Arkansas Endowment Fund in long term interest-bearing direct obligation bonds of the United States;

"NOW THEREFORE,

Be It Enacted by the General Assembly of the State of Arkansas:

"Section 1. The State Board of Fiscal Control, hereinafter referred to as the Board, without giving prior notice by publication of its intention of so doing, is

hereby authorized and empowered, by use of the moneys and for the purposes hereafter in this Act provided, to subscribe to and purchase not to exceed \$132,700.00 principal amount of direct interest bearing obligations of the United States of America from the United State's Treasury Department, or its duly authorized fiscal officers, in those instances where the securities are part of a new issue and the original offering price does not exceed par and accrued interest.

"Whenever the balance in the Excess Par Value Bond Account, which shall hereafter be known as the Securities Reserve Fund, shall exceed \$100,000.00, the Board may, by resolution duly adopted, use not to exceed \$132,700.00 of the said balance in excess of \$100,000.00 in making the purchases hereinbefore provided.

"All obligations purchased under the provisions of this Act shall be delivered to the Treasurer of State and shall, by said Treasurer, be held in trust in and for the benefit of the University of Arkansas Endowment Fund. Upon receipt of the obligations so purchased by the Board, the Treasurer of State shall cancel, by perforation, an equal principal amount of University of Arkansas Endowment Fund Bonds. Provided, after retirement in the manner hereinbefore provided of all other bonds of the issue, the Treasurer of State shall cancel University of Arkansas Endowment Fund bond number 133 for \$666.67 principal amount, upon receipt from the Board of \$700.00 principal amount of United States Treasury bonds.

"All interest received on the obligations so purchased shall, by the Treasurer of State, be deposited in the University of Arkansas Fund, and shall be expended for the use and benefit of the University of Arkansas as its Board of Trustees shall direct. In the event the interest derived each year from investments in the University of Arkansas Endowment Fund amounts to less than \$6,633.34, the Treasurer of State shall transfer from the State Sinking Fund to the University of Arkansas fund such amounts as may be necessary to make the total income from interest, plus the transfers thus provided for, equal \$6,633.34.

"Section 2. For the purpose of making all or a portion of the moneys available for investment, as herein provided, the Treasurer of State shall, upon resolution of the Board, transfer from the State Sinking Fund to the Securities Reserve Fund such amounts as may be set forth in said resolution. Provided, the Board shall not authorize the transfer of any moneys from the State Sinking Fund to the Securities Reserve Fund which are pledged for the payment of the principal of or interest on any other bonds which are a charge against the said State Sinking Fund.

"Section 3. There is hereby appropriated, to be payable from any moneys in

the Securities Reserve Fund in excess of \$100,000.00, for the fiscal year beginning July 1, 1945 and ending June 30, 1946, to be used in purchasing United States Treasury Bonds for the purposes herein provided, the sum of \$132,700.00. Provided, any unexpended balance in the appropriation on June 30, 1946 shall, upon resolution of the Board, be brought forward and made available for such purposes during the fiscal year beginning July 1, 1946 and ending June 30, 1947."

"Section 4. In the event all University of Arkansas Endowment Fund Bonds shall not have been retired on or before July 1, 1947, the maturity date thereof, the Board shall, from time to time, extend the maturity date of such outstanding bonds, but no single extension shall be for more than one year.

"Section 5. The following laws or parts of laws enacted by the General Assembly of the State of Arkansas are hereby repealed; Act 149, approved May 23, 1901 (Sections 13132, 13133 and 13134 of Pope's Digest); Act 208, approved May 23, 1901 (Sections 13135 and 13136 of Pope's Digest); and, Act 252, approved March 16, 1917 (Sections 11966 to 11970, inclusive, of Pope's Digest)."

Acts 1945, No. 249 was approved March 20, 1945.

6-64-1003. Bond given United States to secure use of arms for military.

(a) The Board of Trustees of the University of Arkansas or the president of the university may cause a bond to be executed to the United States, or to any person designated by the United States Department of Defense, for the purpose of securing the use of arms and accoutrements for the military department of the university and for the return of the arms and accoutrements.

(b) The bond may be executed by any guaranty or surety company acceptable to the United States for such amount and on such conditions as may be required, and the costs of executing the bond shall be paid from any funds of the university not otherwise appropriated.

History. Acts 1901, No. 126, §§ 1, 2, p. 13154; A.S.A. 1947, §§ 80-2828, 80-196; C. & M. Dig., § 9531; Pope's Dig., 2829.

6-64-1004. Athletics Instruction Fund.

(a) The Board of Trustees of the University of Arkansas is empowered and directed to earmark a sufficient percentage of receipts from ticket sales for its football games and from concessions of any and all

kinds related to the games, which percentage of receipts shall be set up on the books of the University of Arkansas and designated the Athletics Instruction Fund.

(b) In arriving at the percentage to be allocated to this fund, the board of trustees shall take into consideration the receipts from ticket sales and concessions during the preceding football season. This practice shall be followed each year, with the percentage for each year being that which, applied to the preceding year's receipts, would have produced twelve thousand five hundred dollars (\$12,500) for the fund.

(c) This fund shall be used for no purpose other than payment of the salary of the head football coach.

(d)(1) Authority is granted the board of trustees to enter into a contract of a period of time not to exceed five (5) years with a head football coach.

(2) In the event the fund should fall below the amount necessary to meet the salary requirements, the board of trustees may transfer to it from any available funds sufficient to make up the deficiency.

(e) It is not the purpose of this section to require that a salary of twelve thousand five hundred dollars (\$12,500) be paid to the head football coach; but the object of this section is to enable the board of trustees to provide a salary in that sum when, and if, it feels conditions justify or necessitate.

History. Acts 1945, No. 286, §§ 1-5; A.S.A. 1947, §§ 80-2836 — 80-2840.

A.C.R.C. Notes. Acts 2001, No. 1238, § 12, provided: "ADDITIONAL PAYMENTS AUTHORIZED. The Board of Trustees of the University of Arkansas is hereby authorized to make additional payments to head coaches at the University of Arkansas, Fayetteville, from revenues generated by contracts with vendors of athletic apparel, shoes and other products in such amounts as may be established by the Board of Trustees for performance by the coaches of consulting and other obligations pursuant to contracts between the University and such vendors. Such additional payments to head coaches shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for such coaches by the General Assembly. Nothing in this section shall be construed to reduce or eliminate the authority granted elsewhere in Arkansas statutes for the payment of allowances or bonuses to coaches at the University of Arkansas, Fayetteville.

"The provisions of this section shall be

in effect only from July 1, 2001 through June 30, 2003."

Acts 2003, No. 1638, § 15 provided: "ADDITIONAL PAYMENTS AUTHORIZED. The Board of Trustees of the University of Arkansas is hereby authorized to make additional payments to head coaches at the University of Arkansas, Fayetteville, from revenues generated by contracts with vendors of athletic apparel, shoes and other products in such amounts as may be established by the Board of Trustees for performance by the coaches of consulting and other obligations pursuant to contracts between the University and such vendors. Such additional payments to head coaches shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for such coaches by the General Assembly. Nothing in this section shall be construed to reduce or eliminate the authority granted elsewhere in Arkansas statutes for the payment of allowances or bonuses to coaches at the University of Arkansas, Fayetteville. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

6-64-1005. Employees to file monthly accounts.

Each employee of the institution shall present his or her account at the end of each month to the financial officer of the University of Arkansas, which account, when allowed, shall be so endorsed and filed with the Auditor of State, who shall draw his or her warrant on the Treasurer of State for the sum due, which shall be paid by the Treasurer of State out of any funds appropriated for that purpose.

History. Acts 1915, No. 289, § 9; C. & M. Dig., § 9554; Pope's Dig., § 13203; A.S.A. 1947, § 80-2841.

6-64-1006. Dealers' accounts.

(a) All persons who shall sell any goods, wares, merchandise, or supplies of any character for the use of the University of Arkansas or any of its departments, or who shall perform any services for the university or any of its departments the costs for which shall be charged against the institution shall be required at the end of each month, or more often, to present to the financial officer of the university an itemized account.

(b)(1) The claimant or his or her agent shall append to his or her demand an affidavit of its justice, which shall be immediately examined by the financial officer of the university.

(2) If found correct, the claim shall forthwith be marked correct and shall then be forwarded by the financial officer of the university to the Auditor of State, and filed by him or her, and he or she shall draw his or her warrant on the Treasurer of State for such sum due, which shall be paid by the Treasurer of State out of any funds appropriated for the purpose.

(c) All accounts filed for goods or supplies furnished shall be made in duplicate and in itemized form, and a copy shall be retained in the office of the financial officer of the university. Another copy shall be filed with the Auditor of State as a permanent record.

History. Acts 1915, No. 289, §§ 10, 11; §§ 13204, 13205; A.S.A. 1947, §§ 80-C. & M. Dig., §§ 9555, 9556; Pope's Dig., 2842, 80-2843.

6-64-1007. Statement to be itemized for allowance and payment.

No claim whatsoever against the University of Arkansas or any of its departments shall be allowed or paid from any of the funds appropriated by the state in any other manner than provided in this subchapter, and the Auditor of State is forbidden to draw warrants on the Treasurer of the State for the payment of any moneys on any account for or against the university, except upon an itemized statement and in the manner prescribed in this subchapter.

History. Acts 1915, No. 289, § 12; C. & M. Dig., § 9557; Pope's Dig., § 13206; A.S.A. 1947, § 80-2844.

6-64-1008. Claims allowed and ordered paid to be listed.

All claims allowed and ordered paid by the financial officer of the University of Arkansas, as provided in this subchapter, shall be listed and a copy submitted to the Board of Trustees of the University of Arkansas at each meeting for their investigation and approval.

History. Acts 1915, No. 289, § 13; C. & M. Dig., § 9558; Pope's Dig., § 13207; A.S.A. 1947, § 80-2845.

6-64-1009. Funds excepted from application of §§ 6-64-1006 — 6-64-1008.

The provisions of §§ 6-64-1006 — 6-64-1008 shall not apply to the Student Labor Fund appropriated by the General Assembly, nor to student fees, student deposits, and other sums collected at Fayetteville, nor to any funds except those held in the State Treasury for the use of the University of Arkansas. However, not more than one thousand dollars (\$1,000) shall be drawn at any one (1) time from the State Treasury for this purpose.

History. Acts 1915, No. 289, § 14; C. & M. Dig., § 9559; Pope's Dig., § 13208; A.S.A. 1947, § 80-2846.

6-64-1010. Funding of transportation research and education program.

All funds received by the University of Arkansas under the provisions of Acts 1973, No. 200, § 2, and other funds heretofore made available to the university from the State Highway and Transportation Department Fund of the State Highway Commission for the funding of a program of research and education in transportation shall be deposited by the Board of Trustees of the University of Arkansas in an endowment trust fund, the principal of which shall be kept intact and the income from which shall be used to establish, operate, and maintain research and educational programs in transportation.

History. Acts 1973, No. 200, § 3; A.S.A. 1947, § 80-2892.

Publisher's Notes. Acts 1973, No. 200, § 2, appropriated funds for the establishment of an endowment fund for the

establishment, operation, and maintenance of research and educational programs in transportation at the University of Arkansas.

6-64-1011. [Repealed.]

Publisher's Notes. This section, concerning the housing allowance for the

Chancellor of the University of Arkansas at Little Rock, was repealed by Acts 1999,

No. 240, § 5. The section was derived from Acts 1989 (1st Ex. Sess.), No. 114, § 5.

6-64-1012. Additional compensation for athletic department.

In recognition of the extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas at Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one (1) month's salary for the athletic department and band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

History. Acts 1995, No. 1161, § 10.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-64-1001 — 6-64-1010 may not apply to this section which was enacted subsequently.

Acts 2001, No. 1238, § 10, provided: "SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or on behalf of the athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas, Fayetteville, which is derived from athletic event receipts, or from contributions from sources other than state funds, an amount not to exceed ten thousand dollars (\$10,000) each for such purposes during each year of the 2001-2003 biennium for the athletic direc-

tors, associate athletic directors, and head coaches, and an amount not to exceed one thousand dollars (\$1,000) each for the assistant athletic directors, assistant coaches, offensive coordinators, defensive coordinators, and head trainers. Any such allowances shall be in addition to the regular salary of such athletic directors, associate and assistant athletic directors, head coaches and assistant coaches. Further, if the special allowance funds authorized herein are utilized the University of Arkansas, Fayetteville shall report annually to the Arkansas Legislative Joint Auditing Committee the exact disposition of those special allowance funds. In recognition of the extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas, Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one month's salary for the Athletic Department and Band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Acts 2003, No. 1638, § 14, provided: "SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or on behalf of the athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic directors, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the men's and women's Athletic Departments at the University of Arkansas, Fayetteville, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the University of Arkansas, Fayetteville, which is derived from athletic event receipts, or from contributions from sources other than state funds, an amount not to exceed ten thousand dollars (\$10,000) each for such purposes during each year of the 2003-2005 biennium for the athletic directors, associate athletic directors, and head coaches, and an amount not to exceed one

thousand dollars (\$1,000) each for the assistant athletic directors, assistant coaches, offensive coordinators, defensive coordinators, and head trainers. Any such allowances shall be in addition to the regular salary of such athletic directors, associate and assistant athletic directors, head coaches and assistant coaches. Further, if the special allowance funds authorized herein are utilized the University of Arkansas, Fayetteville shall report annually to the Arkansas Legislative Joint Auditing Committee the exact disposition of those special allowance funds. In recognition of the extra work involved in the participation of intercollegiate athletic teams in post-season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas, Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one month's salary for the Athletic Department and Band personnel when any athletic team participates in post-season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

SUBCHAPTER 11 — COLLEGE OF INFORMATION SCIENCE AND SYSTEMS ENGINEERING

SECTION.

6-64-1101. Legislative findings.

6-64-1102. Creation.

SECTION.

6-64-1103. Funding.

Effective Dates. Acts 1999, No. 1447, § 6: Apr. 15, 1999. Emergency clause provided: "It is hereby found and determined by the General Assembly that there exists a significant shortfall in postsecondary education for persons seeking to become highly skilled in the use of information technology; this act is designed to address that shortfall; and that until this act goes into effect, the shortfall will not be addressed and the citizens of this state will continue to seek educational opportuni-

ties in other states. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effec-

tive on the date the last house overrides the veto.”

6-64-1101. Legislative findings.

(a) It has been determined that there is a significant shortfall in postsecondary education for persons seeking to become highly skilled in the use of information technology, which affects our entire economy. In fact, American employment in these fields has tripled in the last decade. Without action to meet the broad-based demand for a skilled and highly educated work force by industries involved in manufacturing, services, transportation, health care, education, government, and information systems, severe consequences could accrue to Arkansas' competitiveness and economic growth. By providing our citizens with the opportunity to acquire a high level of education in this discipline, job creation will result as firms locate and expand in Arkansas. These industries will form an important component in Arkansas' economy in the next century. To accomplish this goal, we must establish a new college of information science and systems engineering and form a partnership between the university, public schools, and the private sector so that the public schools may be best prepared to give the training necessary to students prior to entering college and so that the colleges are prepared to build on that training to provide the potential employees for companies which are currently located in this state or which we are attempting to attract to this state.

(b) The enhancement of educational opportunities in Arkansas in the field of information technologies and the development of a public and private partnership between the universities and the knowledge-based businesses will help assure that our graduates and their families will have the best opportunity to remain in this state in productive and rewarding careers. Furthermore, the program envisioned by this subchapter will help both traditional students and nontraditional students. It will provide traditional students with liberal arts majors an avenue to enhance their value and their ability to grow into future jobs, and it will offer majors to those who wish to specialize exclusively in the information technology fields. Nontraditional students will be given an option to continue their education in a field that will allow them more flexibility in today's job markets.

History. Acts 1999, No. 1447, §§ 1, 2.

6-64-1102. Creation.

(a) There is hereby created within the University of Arkansas at Little Rock a College of Information Science and Systems Engineering designed to accomplish the purposes set forth in § 6-64-1101.

(b) Cooperative efforts are anticipated with other two-year and four-year postsecondary state institutions. These efforts may include,

but not be limited to, the creation of distance learning centers and semi-smart classrooms and the establishment of a formal bridge consisting of such elements as joint degree programs and jointly appointed faculties.

(c) The institutions shall enter into continued dialogue with the private sector to seek input as to the type of training that will be most beneficial to industry and, therefore, make the graduates most marketable.

History. Acts 1999, No. 1447, § 2.

6-64-1103. Funding.

In addition to funds appropriated by the General Assembly to fulfill the purposes of this subchapter, the University of Arkansas at Little Rock may also seek funding from the federal government and the private sector, both profit and nonprofit.

History. Acts 1999, No. 1447, § 2.

CHAPTER 65

AGRICULTURAL COLLEGES

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. ARKANSAS STATE UNIVERSITY.
3. ARKANSAS TECH UNIVERSITY.
4. SOUTHERN ARKANSAS UNIVERSITY.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 may not apply to §§ 6-65-225, 6-65-226, 6-65-409 and 6-65-410 which were enacted subsequently.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-65-101. State divided into districts.
- 6-65-102. School established in each district — Courses of study.
- 6-65-103. Boards of trustees.
- 6-65-104. Rural school teachers' training departments.
- 6-65-105. Tuition — Admissions.
- 6-65-106. Labor at schools performed by students.
- 6-65-107. Faculty and employees.
- 6-65-108. Free transportation to faculty members.

SECTION.

- 6-65-109. Cooperation of schools on research and publications.
- 6-65-110. Sale of farm products — Disposition of proceeds — Reports.
- 6-65-111. Rental of unused facilities authorized.
- 6-65-112. Reports regarding appropriations.

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303.

Effective Dates. Acts 1909, No. 100, § 12: effective on passage.

Acts 1911, No. 426, § 10: approved, except items vetoed, June 1, 1911. Emergency declared.

Acts 1913, No. 215, § 9: approved Mar. 29, 1913. Emergency declared.

Acts 1915, No. 279, § 8: approved Mar. 27, 1915.

Acts 1917, No. 467, § 8: approved Mar. 28, 1917. Emergency clause provided: "This Act being necessary for the immediate preservation of the public peace, health and safety, shall be in force from and after its passage."

Acts 1923, No. 229, § 3: effective on passage. Emergency declared.

Acts 1925, No. 45, § 4: Feb. 10, 1925. Emergency clause provided: "This act being necessary for the preservation of the public peace, health and safety an emergency is declared to exist, and this act shall be in full force and effect from and after its passage and approval."

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an

emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1971, No. 84, § 5: Feb. 12, 1971. Emergency clause provided: "It is hereby found and determined by the General Assembly that the restructuring of the counties comprising the four districts of the State established for the regional colleges of this State are in need of restructuring in order to enable said districts to consist of counties contiguous to and served by the respective district colleges, and that only by immediate passage of this Act may these objectives be accomplished. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1973, No. 23, § 2: Jan. 30, 1973. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Boards of Trustees of the Agricultural and Mechanical Colleges of this State are appointed from the Agricultural and Mechanical Districts of this State, that the Agricultural and Mechanical Colleges of this State attract students from all parts of this State, and that the area from which a member of a Board of Trustees is appointed should be expanded to give broader representation on such boards; and only by the immediate operation of this Act may this end be accomplished. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety, shall take effect and be in full force from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace,

health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 634, § 3: Mar. 24, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Code contains language that is obsolete; that other states with similar obsolete language have been forced to engage in legal matters relating to the oversight;

and that this act is immediately necessary because a delay in implementation would cause a disruption in the educational programs of this state and the ability to provide certain agricultural related programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-65-101. State divided into districts.

For the purpose of this chapter, the State of Arkansas is divided into the following districts:

(1) The First District shall be composed of the counties of Baxter, Fulton, Sharp, Randolph, Clay, Greene, Lawrence, Izard, Stone, Independence, Jackson, Craighead, Poinsett, Mississippi, Crittenden, Cross, St. Francis, Woodruff, White, and Cleburne;

(2) The Second District shall be composed of the counties of Marion, Boone, Carroll, Benton, Washington, Madison, Newton, Searcy, Van Buren, Conway, Pope, Johnson, Franklin, Crawford, Sebastian, Logan, Yell, Perry, Scott, Faulkner, Fulton, Stone, Cleburne, Izard, Saline, Montgomery, Polk, Pulaski, Garland, and Baxter; and

(3) The Third District shall be composed of the counties of Polk, Montgomery, Garland, Saline, Pulaski, Hot Spring, Pike, Howard, Sevier, Little River, Hempstead, Clark, Nevada, Ouachita, Columbia, Lafayette, Miller, and Union.

History. Acts 1909, No. 100, § 1, p. 295; C. & M. Dig., § 9603; Pope's Dig., § 12950; Acts 1971, No. 84, § 1; 1973, No. 23, § 1; A.S.A. 1947, § 80-3101.

Publisher's Notes. Acts 1971, No.

676, § 7, in part, transferred Garland County to, and provided that it would thereafter be a part of, the second district for the purpose of Acts 1909, No. 100, as amended.

CASE NOTES

Cited: Davis v. Board of Trustees, 270 F. Supp. 528 (E.D. Ark. 1967).

6-65-102. School established in each district — Courses of study.

(a) Within each of the districts established in § 6-65-101, there shall be a state agricultural school in which shall be taught agriculture,

horticulture, mechanical arts, home economics, and the art of textile manufacturing.

(b) The colleges shall have the same educational status.

(c) The course of study shall be provided by the trustees of each school and shall consist of at least practical experiment, treatises, or lectures on agriculture and horticulture. There shall be established in connection therewith a textile school in which shall be taught the art of cotton manufacturing, and other textile manufacturing, should the board of trustees deem it expedient.

History. Acts 1909, No. 100, §§ 2, 6, p. 295; 1925, No. 45, § 3; C. & M. Dig., §§ 9604, 9608; Pope's Dig., §§ 12951, 12955, 12969; A.S.A. 1947, §§ 80-3102, 80-3104, 80-3108.

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the names of the first, third, and fourth district Agricultural Schools located at Jonesboro, Magnolia, and Monticello to "Agricultural and Mechanical Colleges" of their respective districts, and changed the name of the Second District Agricultural School of Russellville, Arkansas, to Arkansas Polytechnic College.

Acts 1933, No. 222, § 5, in part, changed the name of the Agricultural and Mechanical College, First District to Arkansas State College. Acts 1967, No. 3, § 1 and Acts 1967, No. 18, § 1, subsequently changed the name of Arkansas State College to Arkansas State University.

Acts 1975, No. 343, § 1, provided, in part, that the board of trustees of any state-supported, accredited four-year institution of higher learning in Arkansas could by appropriate action of the board, taken only on or before September 1, 1976, provide university status for the institution and select and adopt an appropriate name for the institution. The section further provided that the name selected must be approved by the State Board of Higher Education, which was responsible for coordinating the name sections in order to prevent the selection of names which were duplications of, or

would cause confusion with, the names of other state institutions of higher learning. The name of Arkansas Polytechnic College was subsequently changed to Arkansas Tech University.

Acts 1951, No. 11, § 1, changed the name of the Third District Agricultural and Mechanical College to Southern State College. The name of the school was subsequently changed to Southern Arkansas University.

Acts 1971, No. 9, abolished the Fourth District Agricultural and Mechanical College at Monticello and provided for its transfer to and consolidation into the University of Arkansas. Acts 1971, No. 9, § 5, purported to amend Acts 1925, No. 45, by deleting the reference to "Arkansas Agricultural and Mechanical College" which had been abolished by Acts 1971, No. 9, § 1, but did not set out the amended portion that is required by Arkansas Constitution, Article 5, § 23. The Fourth District Agricultural and Mechanical College is now operated as the University of Arkansas at Monticello. See § 6-64-302.

Acts 1909, No. 100, § 1, as amended, provided, in part, that the fourth agricultural and mechanical college district would be composed of the counties of Lonoke, Prairie, Monroe, Lee, Phillips, Arkansas, Jefferson, Grant, Dallas, Cleveland, Lincoln, Desha, Drew, Bradley, Calhoun, Ashley and Chicot.

As to millage taxes levied and collected for the support of agricultural schools, see Acts 1925, No. 45, § 2.

CASE NOTES

Cited: Davis v. Board of Trustees, 270 F. Supp. 528 (E.D. Ark. 1967).

6-65-103. Boards of trustees.

(a) Each board shall elect one (1) of its members president, one (1) vice president, and one (1) secretary.

(b)(1) Each board shall meet upon call of the president.

(2) The board meetings shall be held at the school.

(3) A majority shall constitute a quorum to do business.

(c)(1) Members of the boards provided for in §§ 6-65-201 and 6-65-301 may receive expense reimbursement in accordance with § 25-16-901 et seq.

(2) All expenses shall be certified by the president or vice president, attested by the secretary, to the Auditor of State and paid out of the appropriations provided by the General Assembly.

(d) The boards of trustees of the agricultural schools are authorized to prescribe the courses of study and grant certificates, diplomas, and degrees therefor.

(e) Each board shall make a report to the General Assembly every two (2) years, giving an itemized statement showing the amount of each appropriation for each item and how and for what purpose it was expended.

(f) If any board of any agricultural school or any member of the board of any agricultural school violates any of the provisions of § 6-65-110 or any other law of the state, the violation shall ipso facto vacate the office or offices of the one or ones so violating the law, and the Governor shall at once be notified of the violation and shall at once appoint someone to fill the vacancy or vacancies.

History. Acts 1909, No. 100, § 5, p. 295; 1911, No. 426, § 7, p. 372; 1917, No. 467, § 7, p. 2151; 1925, No. 45, § 1; C. & M. Dig., § 9607; Pope's Dig., §§ 12954, 12967; Acts 1943, No. 1, § 7; A.S.A. 1947, §§ 7-206, 80-3103, 80-3107; Acts 1997, No. 250, § 32.

Publisher's Notes. Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing

various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-201, 6-65-202, 6-65-301, 6-65-302, 6-66-101, 6-66-102, 6-67-102, 6-67-103.

Cross References. Meetings required to be held once during each quarterly period, § 25-17-208.

CASE NOTES**Legal Entity.**

The Arkansas Agricultural and Mechanical College (now University of Arkansas at Monticello) is a body politic with a board vested in corporate powers and as such may sue and be sued as a legal entity. *Davis v. Board of Trustees*, 270 F. Supp.

528 (E.D. Ark. 1967), *aff'd*, 396 F.2d 730 (8th Cir.), *cert. denied*, 393 U.S. 962, 89 S. Ct. 401, 21 L. Ed. 2d 375 (1968).

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963); *Davis v. Board of Trustees*, 270 F. Supp. 528 (E.D. Ark. 1967).

6-65-104. Rural school teachers' training departments.

(a) The board of trustees of each of the agricultural schools are given permission to provide in each of the schools a department for the

training of rural school teachers. However, the provisions of this section shall not apply to Arkansas Tech University.

(b)(1) The courses of study in the rural teachers' training department in each of the schools shall be uniform in character and may provide adequate instruction in the teaching of agriculture and subjects pertaining to rural life.

(2) These courses shall be outlined by a committee consisting of the principal of each of the agricultural schools, the President of the University of Central Arkansas, and the Director of the Department of Education and the Director of the Department of Workforce Education.

(3) The curriculum shall be sufficiently comprehensive to satisfactorily prepare the teachers to meet the requirements of all characters and grades of license necessary to enable them to teach in the rural schools of Arkansas.

History. Acts 1923, No. 229, §§ 1, 2.

6-65-105. Tuition — Admissions.

(a) The tuition in each school shall be determined by the board of trustees.

(b) The trustees may limit the number of students from time to time according to the capacity and means of the institution and shall make such rules of admission as to equalize, as nearly as practicable, the privileges of the school among the counties according to population.

(c) No students under the age of fifteen (15) years shall be admitted as students at these schools.

History. Acts 1909, No. 100, § 9, p. 295; C. & M. Dig., § 9611; Pope's Dig., § 12958; A.S.A. 1947, § 80-3111; Acts 2003, No. 634, § 1.

Amendments. The 2003 amendment substituted "determined by the board of trustees" for "free" in (a).

CASE NOTES

Cited: State ex rel. State Agric. Sch. Dist. No. 1 v. Craighead County, 114 Ark. 278, 169 S.W. 964 (1914).

6-65-106. Labor at schools performed by students.

All work in, on, and about schools, or on the farms, or on or in the barns connected with the schools, whether it is farming, building, care of stock, or whatever kind of work, shall be performed by students of each school under such regulations for the proper divisions and alterations in the work as may be provided by the trustees.

History. Acts 1909, No. 100, § 8, p. 295; C. & M. Dig., § 9610; Pope's Dig., § 12957; A.S.A. 1947, § 80-3110.

6-65-107. Faculty and employees.

(a)(1) The faculty of each school shall consist of a principal, who shall be a graduate of some reputable college or university; one (1) instructor in stock raising and dairying; a competent textile instructor; and assistants as may be necessary. The trustees may combine the duties of any two (2) of the above when practicable.

(2)(A) It shall be unlawful for the board of trustees of any of the schools to employ as teachers of the natural and domestic sciences any other than graduates of agricultural colleges or colleges of domestic science.

(B) Any member of the board of trustees violating this subdivision shall be guilty of a misdemeanor and upon conviction shall be fined not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500) and shall be removed from office by the Governor.

(b)(1) The board of trustees of any of the agricultural schools shall not employ anyone related by consanguinity or affinity within the fourth degree to any trustee.

(2) Any member of the board of trustees violating any of the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500) and subject to removal by the Governor.

(c) All persons, including the principal, instructors, and other employees, except those participating in the student labor funds, shall be paid by warrants drawn monthly against the Auditor of State on funds appropriated for that purpose.

History. Acts 1909, No. 100, § 7, p. 12962, 12963; Acts 1949, No. 298, § 1; 295; 1913, No. 215, §§ 6, 7; 1915, No. 279, A.S.A. 1947, §§ 80-3109, 80-3112, 80-§ 6; C. & M. Dig., §§ 9609, 9612, 9615, 3115, 80-3116. 9616; Pope's Dig., §§ 12956, 12959,

6-65-108. Free transportation to faculty members.

It shall be lawful for any and all railroads to give to the principals and heads of departments of the schools, and for them to accept and use, free transportation on all railroads in the state.

History. Acts 1913, No. 215, § 8; C. & M. Dig., § 9617; Pope's Dig., § 12964; A.S.A. 1947, § 80-3117. to pass laws prohibiting free transportation to state officials, Ark. Const., Art. 17. § 7.

Cross References. General Assembly

6-65-109. Cooperation of schools on research and publications.

The several agricultural schools provided for in this chapter shall cooperate by reporting to each other the results of their several experiments and shall mutually agree upon the publication of such

bulletins for free distribution as they may deem to be in the best interest of those engaged in agricultural pursuits.

History. Acts 1909, No. 100, § 11, p. 295; C. & M. Dig., § 9618; Pope's Dig., § 12965; A.S.A. 1947, § 80-3118.

6-65-110. Sale of farm products — Disposition of proceeds — Reports.

(a) The proceeds from the sale of all farm products shall be deposited in the State Treasury to the credit of each of the schools and kept in a separate fund.

(b) The moneys may be drawn by warrant by the boards of trustees and expended for the upbuilding and development of the school farms and used for no other purpose, if an itemized account of all sales and receipts for all disbursements of moneys is kept by the boards of trustees, is audited annually, and a report of the account is filed with the Governor within thirty (30) days after the audit is made.

(c) Any one of the boards of trustees or any member of either of the boards, or any member of the faculty of either of the schools, who violates any part of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than fifty dollars (\$50.00) for each and every offense or violation of this section.

History. Acts 1917, No. 467, §§ 6, 7, p. 2151; C. & M. Dig., § 9613; Pope's Dig., § 12960; A.S.A. 1947, § 80-3113.

6-65-111. Rental of unused facilities authorized.

The trustees of each school are authorized to rent to the best advantage from time to time any portion of the property of such schools not required for the immediate use of the school.

History. Acts 1909, No. 100, § 9, p. 295; C. & M. Dig., § 9611; Pope's Dig., § 12958; A.S.A. 1947, § 80-3111.

CASE NOTES

Cited: State ex rel. State Agric. Sch. Dist. No. 1 v. Craighead County, 114 Ark. 278, 169 S.W. 964 (1914).

6-65-112. Reports regarding appropriations.

The trustees of each of the agricultural schools shall make a report to the General Assembly every two (2) years, giving itemized statements showing the amount of each appropriation for each item and how and for what purpose expended.

History. Acts 1913, No. 215, § 5; C. & M. Dig., § 9614; Pope's Dig., § 12961; A.S.A. 1947, § 80-3114.

SUBCHAPTER 2 — ARKANSAS STATE UNIVERSITY

SECTION.

- 6-65-201. Board of Trustees of Arkansas State University.
- 6-65-202. Powers and duties of board.
- 6-65-203. Right of eminent domain.
- 6-65-204. Disbursing agent — Drawing vouchers.
- 6-65-205. Participation in federal or state aid authorized.
- 6-65-206. Real estate research and educational program.
- 6-65-207. College of Engineering Management.
- 6-65-208. ASU-Beebe — Board of trustees.
- 6-65-209. ASU-Beebe — Counties composing district.
- 6-65-210. ASU-Beebe — Course of study.
- 6-65-211. ASU-Beebe — Faculty and staff.
- 6-65-212. ASU-Beebe — Tuition and admissions.
- 6-65-213. ASU-Beebe — Labor performed by students.
- 6-65-214. ASU-Beebe — Rental of unused property authorized.
- 6-65-215. ASU-Beebe — Cooperation with other agricultural schools.

SECTION.

- 6-65-216. ASU-Beebe — Fund created.
- 6-65-217. Arkansas State Technical Institute — Legislative findings, determinations, and intent.
- 6-65-218. Arkansas State Technical Institute — Establishment.
- 6-65-219. [Repealed.]
- 6-65-220. Arkansas State Technical Institute — Courses of study and training.
- 6-65-221. Arkansas State Technical Institute — Operations generally.
- 6-65-222. Arkansas State Technical Institute — Admissions, advanced placement, etc.
- 6-65-223. Arkansas State Technical Institute — Tuition, fees, charges, etc.
- 6-65-224. Arkansas State Technical Institute — Reporting requirements.
- 6-65-225. Consolidation of administrative functions.
- 6-65-226. Housing allowance.

A.C.R.C. Notes. Acts 1991, No. 596, § 5, provided: "The Arkansas State University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that Arkansas State University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Arkansas State University does not exceed 25% of that required for a full-time employee."

Acts 1995, No. 1035, § 5, provided: "SPECIAL ALLOWANCES. For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or in behalf of the athletic

director, assistant athletic directors, head coaches, and assistant coaches at Arkansas State University, the Board of Trustees may make special allowances available therefor in such amounts as the Board of Trustees may determine as justified, an equitable allowance in view of the unusual and exacting duties of said athletic director, assistant athletic directors, head coaches, and assistant coaches, and for the purpose of providing such allowances, the Board of Trustees is authorized to expend from the auxiliary income of the Arkansas State University, which is derived from athletic event receipts, an amount not to exceed twenty thousand dollars (\$20,000) in the aggregate for such purposes during each year of the 1995-97 biennium for the athletic director and head coaches, and ten thou-

sand dollars (\$10,000) in the aggregate for such purposes during the 1995-97 biennium for the assistant athletic directors and assistant coaches. Provided that any such allowances shall be in addition to the regular salary of such athletic director, assistant athletic directors, head coaches and assistant coaches, as established herein provided that the amount of such allowance shall not exceed ten thousand dollars (\$10,000) per annum for any one salaried position. Further, Arkansas State University shall report annually to the Legislative Joint Auditing Committee the exact disposition of the special allowance funds authorized herein."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the first district agricultural school located in Jonesboro to the Agricultural and Mechanical College of the First District. Acts 1933, No. 222, § 5, in part, changed the name of the Agricultural and Mechanical College of the First District to Arkansas State College. Acts 1967, No. 3, § 1 and Acts 1967, No. 18, § 1 subsequently changed the name of Arkansas State College to Arkansas State University.

Effective Dates. Acts 1927, No. 132, § 12: effective on passage.

Acts 1939, No. 294, § 7: Mar. 10, 1939.

Acts 1941, No. 207, § 7: Mar. 25, 1941.

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve

the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1947, No. 333, § 5: Mar. 28, 1947. Emergency clause provided: "Whereas the enrollment of students at the Arkansas State College has increased threefold within recent months; and whereas at the present time there are approximately six hundred veterans applying for admission to said College; and whereas the present dormitory facilities of said College are not sufficient to accommodate adequately the students now enrolled; and whereas no other facilities are available for the accommodation of students now enrolled and those seeking admission; and whereas the owners of property located adjacent to said College refuse to sell the property owned by them which is needed for the purpose of meeting the needs of said College, now, therefore, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval."

Acts 1967, No. 3, § 3: July 1, 1967.

Acts 1967, No. 18, §§ 3, 4: July 1, 1967. Emergency clause provided: "The General Assembly hereby finds and determines that Arkansas State College is presently performing the functions of a University and this Act is immediately necessary to properly reflect the status and functions of said institution. Therefore, an emergency is declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in effect from the date of its passage and approval." Approved January 27, 1967.

Acts 1975, No. 398, § 5: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975 could work irreparable harm upon the proper administration and providing of essential governmental programs.

Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1975."

Acts 1975, No. 647, § 6: Mar. 28, 1975. Emergency clause provided: "It is hereby found and determined by the Seventieth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1975, is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1975, could work irreparable harm upon the proper administration and providing of essential government programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 496, § 15: July 1, 1985. Emergency clause provided: "It is hereby found and determined by the Seventy-Fifth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1985 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1985 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1985."

Acts 1995, No. 1035, § 13: July 1, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1995 is essential to the

operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1995 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1995."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 634, § 3: Mar. 24, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that the Arkansas Code contains language that is obsolete; that other states with similar obsolete language have been forced to engage in legal matters relating to the oversight; and that this act is immediately necessary because a delay in implementation would cause a disruption in the educational programs of this state and the ability to provide certain agricultural related programs. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is

neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the

bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-65-201. Board of Trustees of Arkansas State University.

(a) There is created an honorary board constituting the Board of Trustees of Arkansas State University.

(b)(1) The board shall consist of five (5) members appointed from the state at large.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of such appointment within thirty (30) days, and if such appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Vacancies on the board shall be filled by appointments by the Governor from the state at large.

(f) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining

members of the board and shall be thereafter effective until the expiration of the regular terms.

(g)(1) Before entering upon his or her respective duties, each board member shall take and subscribe, and file in the office of the Secretary of State, an oath to support the United States Constitution and the Arkansas Constitution, and to faithfully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) or by imprisonment of not less than six (6) months, or by both fine and imprisonment.

(B) Any contract entered into in violation of the oath shall be null and void.

(h) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(i)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1943, No. 1, §§ 2, 4-7; 1967, No. 3, § 2; 1967, No. 18, § 2; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-3124.1; Acts 1997, No. 250, § 33.

Publisher's Notes. Arkansas Constitution, Amendment 33, Section 1 provides, in part, that the terms of office for five-member boards are five years. The terms of the members of the Board of Trustees of Arkansas State University are arranged so that one term expires every year.

Those provisions of Acts 1943, No. 1 which established honorary boards and

commissions governing various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-202, 6-65-301, 6-65-302, 6-66-101, 6-66-102, 6-67-102, 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect its officers, and transact such other business as might come before the meeting.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-65-202. Powers and duties of board.

(a) The board created in § 6-65-201 is charged with the management and control of Arkansas State University.

(b) The board shall have the power, authority, and duties formerly conferred by law on the board it succeeds.

History. Acts 1943, No. 1, § 3; A.S.A. 1947, § 7-202.

Publisher's Notes. Acts 1943, No. 1, § 1, in part, abolished the board or commission charged with the management or control of Arkansas State College.

Acts 1967, No. 3, § 1, and Acts 1967, No. 18, § 1, subsequently changed the name of Arkansas State College to Arkansas State University.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-65-201.

CASE NOTES

Cited: Starnes v. Sadler, 237 Ark. 325, 372 S.W.2d 585 (1963); Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968).

6-65-203. Right of eminent domain.

(a) The right of eminent domain is granted to Arkansas State University located at Jonesboro, to condemn property, wherever and whenever the acquisition of property is necessary for the use of the university. However, homesteads as of March 28, 1947, shall not be deemed to come within the provisions of this section.

(b) All suits for condemnation of property under the provisions of this section shall be brought by the university in the name of the State of Arkansas.

(c)(1) Before any suit can be instituted, it shall be necessary for the Board of Trustees of the university to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the University.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, together with the legal description of the lands.

(d)(1) Upon adoption of the resolution, the board of trustees of Arkansas State University is authorized to request the prosecuting attorney of the district in which the lands are situated to assist in instituting proper proceedings for the condemnation of the lands.

(2) In the event any prosecuting attorney is requested to institute or to assist in instituting such proceedings, it shall then be the duty of that prosecuting attorney to comply with the request of the board of trustees.

(e) It shall be the duty of the Attorney General of the State of Arkansas to handle all appeals taken to the Supreme Court of the state from any such actions.

History. Acts 1947, No. 333, §§ 1-3;
A.S.A. 1947, §§ 80-3121 — 80-3123.

6-65-204. Disbursing agent — Drawing vouchers.

(a) In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is directed to inform himself or herself at all times as to the condition of the cash balance to the credit of his or her institution.

(b) No voucher shall be drawn unless at the time of its execution there is sufficient credit on the Treasurer of State's books to pay the voucher when converted into a warrant and all other warrants previously issued in pursuance of vouchers executed by the disbursing agent.

History. Acts 1939, No. 294, § 5;
A.S.A. 1947, § 80-3120.

6-65-205. Participation in federal or state aid authorized.

Arkansas State University is designated and directed to provide for and to participate in the educational training activities which have been or are designated, and in the funds appropriated therefor, by the federal government for the support of educational programs, for the improved preparation of teachers, both general and vocational, for the support of the Civilian Conservation Corps and Farm Security Administration or other federal agencies engaged in agricultural conservation service, for transportation of children, for improved housing, for night schools, for noncredit educational service, for rural libraries, for vocational guidance, for experimentation and research, for educational planning and demonstrations, and such other federal and state funds as may be provided for the improvement of the administration and facilities of education in the public schools of Arkansas at the elementary, secondary, and collegiate levels.

History. Acts 1941, No. 207, § 4.
A.C.R.C. Notes. The Civilian Conservation Corps and the Farm Security Administration, referred to in this section, were federal programs that no longer exist.

6-65-206. Real estate research and educational program.

There is established and shall be conducted at Arkansas State University at Jonesboro a research and educational program in real estate to be known as the Ray Worthington Chair of Real Estate.

History. Acts 1975, No. 647, § 1;
A.S.A. 1947, § 80-3148.
Publisher's Notes. Acts 1975, No. 647, § 4, provided that the intent of the act was to replace and supersede the Verdon M. Bennett Chair of Real Estate established by Acts 1973, No. 418 with the Ray Worthington Chair of Real Estate.

6-65-207. College of Engineering Management.

(a) The General Assembly determines that:

(1) There is urgent need in the State of Arkansas to prepare persons with training and expertise in the field of engineering and the fundamentals of management;

(2) Current needs of Arkansas' diversified industry and the demands for future expansion will require engineers in managerial positions who have a broad-based education that would enable them to make managerial and administrative decisions from an engineering viewpoint;

(3) The orderly development of Arkansas in the areas of environmental control, energy recovery, waste processing, community hygiene, land utilization, and other related areas requires personnel who can translate engineering principles into effective action while performing as responsible managers;

(4) Studies have disclosed that approximately two-thirds ($\frac{2}{3}$) of engineers eventually assume managerial responsibility; and

(5) It is essential to the continued growth and development of the State of Arkansas that appropriate college-level training be provided in the state for persons in the area of engineering management.

(b) It is the intent and purpose of this section to fill this urgent need by establishing a college of engineering management at Arkansas State University at Jonesboro to provide college-level training for new entrants into the field of engineering management, in-service training for practicing engineers who will eventually assume managerial duties, for persons planning to assist municipalities with their systematic growth and development, and for other appropriate personnel in similar or related fields.

(c) There is created and established and there shall be maintained and operated at Arkansas State University at Jonesboro the College of Engineering Management.

(d) The curriculum, schedule, and administrative structure of the college shall be established and determined in the same manner as in other colleges at Arkansas State University.

History. Acts 1975, No. 398, §§ 1, 2;
A.S.A. 1947, §§ 80-3149, 80-3150.

6-65-208. ASU-Beebe — Board of trustees.

The Board of Trustees of Arkansas State University is empowered to exercise any powers, rights, and obligations in regard to Arkansas State University-Beebe that it is now empowered and authorized by law to exercise in regard to Arkansas State University.

History. Acts 1955, No. 84, § 4; A.S.A. 1947, § 80-3138; Acts 2001, No. 90, § 1.

Publisher's Notes. Acts 1943, No. 1, in part, created an honorary board of management constituting the Board of Trustees of the Junior Agricultural College

which succeeded to the powers and duties of the board or commission formerly charged with the management or control of the Junior Agricultural College and which was abolished by section 1 of the act.

Acts 1955, No. 84, § 1, provided that the Junior Agricultural College located at Beebe, Arkansas, would become the Beebe Branch of the Arkansas State College of the First District (now Arkansas State University). Pursuant to §§ 2 and 3 of the act, all powers, duties, obligations, property, etc. of the Board of Trustees of the Junior Agricultural College were transferred to the Board of Trustees of Arkansas State College and all contractual obligations of the Junior Agricultural College

were assumed by the Beebe Branch. Facilities of the Junior Agricultural College were incorporated into the Beebe Branch pursuant to § 4 of the act.

Acts 1967, No. 3, § 1, and No. 18, § 1, changed the name of Arkansas State College to Arkansas State University.

Amendments. The 2001 amendment substituted "Arkansas State University-Beebe" for "the Beebe Branch of Arkansas State University."

6-65-209. ASU-Beebe — Counties composing district.

The Board of Trustees of Arkansas State University is empowered to designate the counties of Lonoke, Prairie, White, Pulaski, Grant, Saline, Cleburne, Stone, Independence, and Hot Spring as composing the district for Arkansas State University-Beebe.

History. Acts 1927, No. 132, § 3; Pope's Dig., § 12974; A.S.A. 1947, § 80-3136; Acts 2001, No. 90, § 2.

Amendments. The 2001 amendment

substituted "Arkansas State University-Beebe" for "Arkansas State University, Beebe Branch."

6-65-210. ASU-Beebe — Course of study.

The course of study shall be provided by the Board of Trustees of Arkansas State University and shall consist of actual experiments, treatises, or lectures on agriculture, horticulture, poultry raising, dairying, truck and small fruit growing, and their marketing.

History. Acts 1927, No. 132, § 5; Pope's Dig., § 12976; A.S.A. 1947, § 80-3139.

6-65-211. ASU-Beebe — Faculty and staff.

(a) The faculty of Arkansas State University-Beebe shall consist of:

(1) A principal, who shall be a graduate of some reputable school of agriculture and well versed in practical farming in such soils as surround the school;

(2) One (1) instructor in stock raising, poultry, and dairying, who shall have had practical work as such; and

(3) Such assistants as may be necessary.

(b) The trustees may combine the duties of any of the above when practical.

History. Acts 1927, No. 132, § 6; Pope's Dig., § 12977; A.S.A. 1947, § 80-3140; Acts 2001, No. 90, § 3.

A.C.R.C. Notes. Acts 1991, No. 1084, § 8, provides: "The Arkansas State University — Beebe shall be exempt from the

provisions of Arkansas Code § 19-4-1707 to the extent that Arkansas State University — Beebe shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of

Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Arkansas State University — Beebe does not exceed 25% of that re-

quired for a full-time employee.”

Amendments. The 2001 amendment substituted “Arkansas State University-Beebe” for “Arkansas State University, Beebe Branch.”

6-65-212. ASU-Beebe — Tuition and admissions.

(a) The tuition in Arkansas State University-Beebe shall be determined by the Board of Trustees of Arkansas State University.

(b) The trustees may limit the number of students from time to time according to the capacity and means of the institution and shall make such rules of admission as to equalize as nearly as practical the privileges of the school among the counties composing the district according to population.

(c) No student under the age of fifteen (15) years shall be admitted as a student of this school.

History. Acts 1927, No. 132, § 8; Pope’s Dig., § 12979; A.S.A. 1947, § 80-3142; Acts 2003, No. 634, § 2.

substituted “Arkansas State University-Beebe” for “Beebe Branch” in the section catchline; and substituted “determined by the board of trustees” for “free” in (a).

Amendments. The 2003 amendment

6-65-213. ASU-Beebe — Labor performed by students.

All work in, on, or about the school, or on the farm, or on or in the barns or poultry yards connected with this school, whether it is farming, building, care of stock, or work of whatsoever kind, shall be performed by students of the school under such regulations as the trustees may provide.

History. Acts 1927, No. 132, § 7; Pope’s Dig., § 12978; A.S.A. 1947, § 80-3141.

6-65-214. ASU-Beebe — Rental of unused property authorized.

The trustees are authorized to rent to the best advantage from time to time any portion of the property of the school not required for the immediate use of the school.

History. Acts 1927, No. 132, § 8; Pope’s Dig., § 12979; A.S.A. 1947, § 80-3142.

6-65-215. ASU-Beebe — Cooperation with other agricultural schools.

Arkansas State University-Beebe shall cooperate with other agricultural schools in operation by reporting to them the results of its experiments, and they shall mutually agree upon the publication of

bulletins for free distribution as they deem to be of interest to those engaged in agricultural pursuits.

History. Acts 1927, No. 132, § 9; Pope's Dig., § 12980; A.S.A. 1947, § 80-3143; Acts 2001, No. 90, § 4.

substituted "Arkansas State University-Beebe" for "The Beebe Branch of Arkansas State University"; and made a stylistic change.

Amendments. The 2001 amendment

6-65-216. ASU-Beebe — Fund created.

The Arkansas State University-Beebe Fund is created for the operation, maintenance, and improvement of Arkansas State University-Beebe.

History. Acts 1955, No. 84, § 5; A.S.A. 1947, § 80-3137; Acts 2001, No. 90, § 5.

substituted "University-Beebe" for "University, Beebe Branch" throughout the section.

Amendments. The 2001 amendment

6-65-217. Arkansas State Technical Institute — Legislative findings, determinations, and intent.

(a) It is found and determined by the Seventy-Fifth General Assembly of the State of Arkansas that:

(1) The education and employment of its populace are two (2) of the highest goals of modern government;

(2) Technological advancements in industrial production and business are changing the means and methods in which business is conducted in world markets;

(3) Existing businesses and industries in Arkansas must respond to these changes in order to survive;

(4) If the state is to develop a stronger economic base, steps must be taken to provide existing businesses and industries with the tools necessary for continued development, and new industries must be convinced of the state's desire to have them locate within our borders;

(5) In both instances a highly educated and trained work force is an essential element;

(6) Although improvements have been and are being made in secondary and postsecondary vocational and technical education programs in the state, no program currently exists which combines applied advanced mathematics and science and general education with highly technical vocational programs at the certificate and associate degree level; and

(7) The financial resources of the state dictate that such a program should be established for the State of Arkansas.

(b) It is the intent of the General Assembly that the institute authorized by this section and §§ 6-65-218 — 6-65-224 should constantly evaluate its programs and modify or delete programs as the needs of business and industry change.

History. Acts 1985, No. 496, § 5; A.S.A. 1947, § 80-3151.

6-65-218. Arkansas State Technical Institute — Establishment.

The Board of Trustees of Arkansas State University is empowered and directed to design and establish a technical education program at Arkansas State University-Beebe to be known as the Arkansas State Technical Institute.

History. Acts 1985, No. 496, § 6; A.S.A. 1947, § 80-3152; Acts 2001, No. 90, § 6.

substituted "Arkansas State University-Beebe" for "the Beebe Branch of Arkansas State University."

Amendments. The 2001 amendment

6-65-219. [Repealed.]

Publisher's Notes. This section, concerning the Arkansas State Technical Institute advisory council, was repealed by

Acts 1995, No. 366, § 1. The section was derived from Acts 1985, No. 496, § 7; A.S.A. 1947, § 80-3153.

6-65-220. Arkansas State Technical Institute — Courses of study and training.

(a) The Arkansas State Technical Institute shall provide educational programs which combine academic skills and vocational training in highly technical employment fields.

(b) The institute shall offer courses of study leading to certificates and associate degrees and shall also offer such short-term programs as needed.

History. Acts 1985, No. 496, § 6; A.S.A. 1947, § 80-3152.

6-65-221. Arkansas State Technical Institute — Operations generally.

The chief administrative officer of the Arkansas State Technical Institute shall be responsible to the Chancellor of Arkansas State University-Beebe and the President of Arkansas State University and Board of Trustees of Arkansas State University for the operation of the institute within the rules, regulations, and procedures adopted by the board of trustees.

History. Acts 1985, No. 496, § 8; A.S.A. 1947, § 80-3154; Acts 2001, No. 90, § 7.

substituted "Arkansas State University-Beebe" for "the Beebe Branch of Arkansas State University."

Amendments. The 2001 amendment

6-65-222. Arkansas State Technical Institute — Admissions, advanced placement, etc.

The Board of Trustees of Arkansas State University shall, upon the recommendation of the advisory council established in § 6-65-219 [repealed], adopt rules, regulations, procedures, and requirements for admission to, and advanced placement and continuation in, the Arkansas State Technical Institute.

History. Acts 1985, No. 496, § 8;
A.S.A. 1947, § 80-3154.

6-65-223. Arkansas State Technical Institute — Tuition, fees, charges, etc.

The Board of Trustees of Arkansas State University shall also adopt policies regarding student payment of tuition, room and board, and such other fees and charges as deemed appropriate.

History. Acts 1985, No. 496, § 8;
A.S.A. 1947, § 80-3154.

6-65-224. Arkansas State Technical Institute — Reporting requirements.

The Board of Trustees of Arkansas State University shall report to the Governor and the Legislative Council, biennially, the types and numbers of students and programs offered or planned to be offered at the Arkansas State Technical Institute.

History. Acts 1985, No. 496, § 9;
A.S.A. 1947, § 80-3155.

6-65-225. Consolidation of administrative functions.

(a) Upon determination by the President of Arkansas State University that a reallocation of resources for purposes of reorganization or consolidation of administrative functions within the university is necessary for efficient and effective operations of the university, the president, with approval of the Board of Trustees of Arkansas State University, may have the authority to transfer positions, appropriations, and related funds between campuses, divisions, branches, and other budgetary units of the university.

(b) The transfers of positions, programs, or activities shall be used for those purposes for which the appropriations were approved by the General Assembly.

(c) The transfers, consolidation, or reorganization which involve academic programs shall be reviewed by the Department of Higher Education and the Legislative Council.

History. Acts 1995, No. 1035, § 6.

Cross References. Transfer of appropriation, § 6-62-104.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 may not apply to this section which was enacted subsequently.

6-65-226. Housing allowance.

Upon approval by the Board of Trustees of Arkansas State University, the chancellor, or the director if there is no chancellor, of the various campuses of Arkansas State University may receive a housing allow-

ance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1995, No. 1035, § 7; 2001, No. 90, § 8.

A.C.R.C. Notes. References to "this chapter" in subchapters 1-4 may not apply

to this section which was enacted subsequently.

Amendments. The 2001 amendment deleted "branch" preceding "campuses."

SUBCHAPTER 3 — ARKANSAS TECH UNIVERSITY

SECTION.

6-65-301. Board of Trustees of Arkansas Tech University.

6-65-302. Powers and duties of board.

6-65-303. Hot Springs Branch.

SECTION.

6-65-304. Lease of coal, oil, gas, and mineral lands.

6-65-305. Easements.

6-65-306. [Repealed.]

A.C.R.C. Notes. Acts 1991, No. 637, § 11, provided: "The Arkansas Tech University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that Arkansas Tech University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with Arkansas Tech University does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the Second District Agricultural School of Russellville, Arkansas, to Arkansas Polytechnic College.

Acts 1975, No. 343, § 1, provided, in part, that the board of trustees of any state-supported, accredited four-year institution of higher learning in Arkansas could, by appropriate action of the board taken only on or before September 1, 1976, provide university status for the institution and select and adopt an appropriate name for the institution. The section further provided that the name selected must be approved by the State Board of Higher Education, which was responsible for coordinating the name selections in order to prevent the selection of names which were duplications of, or would cause confusion with, the names of other state institutions of higher learning. The name of Arkansas Polytechnic College was subsequently changed to Arkansas Tech University.

Effective Dates. Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1959, No. 147, § 3: Mar. 3, 1959. Emergency clause provided: "It has been found and is declared by the General Assembly that certain responsible business concerns are engaged in securing leases on lands in the vicinity of and adjacent to lands belonging to Arkansas Polytechnic College or to the State and

held for the benefit of the college for the purpose of exploring for and exploiting coal, oil, gas, or other minerals, and the power of the Board of Trustees of the college to execute such a lease is doubtful under existing law; that the college urgently needs the proceeds to be expected from the leasing of such lands; and that enactment of this measure will guarantee the college against possible loss because of any lack of power in the premises. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from the date of its approval."

Acts 1963, No. 201, § 3: Mar. 8, 1963. Emergency clause provided: "It has been found and is declared by the General Assembly that certain construction is proceeding on the Arkansas River in the vicinity of and adjacent to lands belonging to Arkansas Polytechnic College or to the State and held for the benefit of the college for the purpose of utilizing the Arkansas River by dams, flooding, bank control and levees, and the power of the Board of Trustees of the college to execute such an easement is doubtful under existing law; that the college urgently needs the authority to negotiate for the easement of lands or such lands will be condemned; and that enactment of this measure will guarantee the college against possible loss because of any lack of power in the premises. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health and safety, shall take effect and be in force from the date of its approval."

Acts 1971, No. 676, § 15: Apr. 7, 1971. Emergency clause provided: "It is hereby found and determined that it may be necessary to extend the regular session of the Sixty-Eighth General Assembly as authorized in the Constitution; that under the provisions of Amendment 7 to the Constitution, enactments of the General Assembly that do not have an emergency

clause do not become effective until ninety (90) days after the date of final adjournment of the General Assembly; that the extended session of the General Assembly may not adjourn in time for this Act to take effect prior to July 1, 1971, thereby depriving the agency for which funds are appropriated herein of necessary operating funds to commence the next fiscal biennium; and in order that the appropriation made herein may be available on July 1, 1971, the General Assembly hereby determines that the immediate passage of this Act is necessary for the maintenance and operation of the essential governmental services. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval, provided that the appropriation authorized herein shall not be available until July 1, 1971."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-65-301. Board of Trustees of Arkansas Tech University.

(a) There is created an honorary board constituting the Board of Trustees of Arkansas Tech University.

(b)(1) The board shall consist of five (5) members to be appointed from the counties in the Second Agricultural and Mechanical District.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of such appointment within thirty (30) days, and if such appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular terms.

(f)(1) Before entering upon his or her respective duties, each board member shall take and subscribe, and file in the office of the Secretary of State, an oath to support the Constitution of the United States and the Constitution of the State of Arkansas, and to faithfully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) or by

imprisonment of not less than six (6) months, or by both fine and imprisonment.

(B) Any contract entered into in violation of the oath shall be null and void.

(g) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(h)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206; Acts 1997, No. 250, § 34.

Publisher's Notes. Arkansas Constitution, Amendment 33, § 1, provided, in part, that the terms of office of five-member boards are five years. The terms of the members of the Board of Trustees of Arkansas Tech University are arranged so that one term expires every year.

Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing various state in-

stitutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-201, 6-65-202, 6-65-302, 6-66-101, 6-66-102, 6-67-102, 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect their officers, and transact such other business as might come before the meeting.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-65-302. Powers and duties of board.

(a) The board created in § 6-65-301 is charged with the management and control of Arkansas Tech University.

(b) The board shall have the power, authority, and duties formerly conferred by law on the board it succeeds.

History. Acts 1943, No. 1, § 3; A.S.A. 1947, § 7-202.

Publisher's Notes. The board created

by § 6-65-301 succeeded to the powers, authority, and duties of the board or commission which was formerly charged with

the management or control of the Arkansas Polytechnic College, now Arkansas Tech University, and which was abolished

by Acts 1943, No. 1, § 1.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-65-301.

CASE NOTES

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963); *Jackson v. Bishop*, 404 F.2d 571 (8th Cir. 1968).

6-65-303. Hot Springs Branch.

(a) The Board of Trustees of Arkansas Tech University is authorized to establish in Hot Springs, a branch of that university and shall operate thereat courses of instruction at less than baccalaureate degree programs.

(b) The board is authorized to establish appropriate rules and regulations for the operation of that campus.

History. Acts 1971, No. 676, § 7.

Publisher's Notes. Acts 1971, No. 676, § 7, in part, transferred Garland County to, and provided that it would

thereafter be a part of, the second district for the purpose of Acts 1909, No. 100, as amended.

6-65-304. Lease of coal, oil, gas, and mineral lands.

(a) The Board of Trustees of Arkansas Tech University is empowered to lease lands belonging to Arkansas Tech University or to the state and held for the benefit of the university for the purpose of exploration for and exploitation of coal, oil, gas, or other minerals.

(b) To that end, the board may execute and deliver for and on behalf of the state and the university a lease or leases containing such terms and conditions as the board may deem proper and in the best interest of the state and the university.

(c) The proceeds from any such lease shall be placed in a bank account of the university and may be expended for the benefit of the university at the discretion of the board.

History. Acts 1959, No. 147, §§ 1, 2; A.S.A. 1947, §§ 80-3133, 80-3134.

6-65-305. Easements.

(a) The Board of Trustees of Arkansas Tech University is empowered to grant and convey easements of lands belonging to the university or to the state and held for the benefit of the university.

(b) To that end, the board may execute and deliver for and on behalf of the state and the university an easement or easements containing such terms and conditions as the board may deem proper and in the best interest of the state and the university.

(c) The proceeds from any such easement shall be placed in a bank account of the university and may be expended for the benefit of the university at the discretion of the board.

History. Acts 1963, No. 201, §§ 1, 2; A.S.A. 1947, §§ 80-3144, 80-3145.

6-65-306. [Repealed.]

Publisher's Notes. This section, concerning the housing allowance for the President of Arkansas Tech University,

was repealed by Acts 1999, No. 240, § 6. The section was derived from Acts 1993, No. 761, § 11.

SUBCHAPTER 4 — SOUTHERN ARKANSAS UNIVERSITY

SECTION.

- 6-65-401. Board of Trustees of Southern Arkansas University.
- 6-65-402. Board of trustees — Powers and duties.
- 6-65-403. Right of eminent domain.
- 6-65-404. SAU-Tech.
- 6-65-405. SAU-Tech advisory committee.
- 6-65-406. El Dorado Branch.

SECTION.

- 6-65-407. El Dorado Branch Advisory Committee.
- 6-65-408. Appropriations.
- 6-65-409. Housing allowance for chancellor — SAU-Tech.
- 6-65-410. Housing allowance for chancellor — El Dorado Branch.

A.C.R.C. Notes. Acts 1991, No. 1118, § 14, provided: "The Southern Arkansas University — Southwest Technical Institute Division shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Southern Arkansas University — Southwest Technical Institute Division shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Southern Arkansas University — Southwest Technical Institute Division does not exceed 25% of that required for a full-time employee."

Acts 1991, No. 1125, § 6, provided: "The Southern Arkansas University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Southern Arkansas University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of

grants or contracts, and providing that the term of their employment with the Southern Arkansas University does not exceed 25% of that required for a full-time employee."

Publisher's Notes. Acts 1925, No. 45, § 1, in part, changed the name of the Third District Agricultural School located at Magnolia to Agricultural and Mechanical College, third district.

Acts 1951, No. 11, § 1, changed the name of the Third District Agricultural and Mechanical College to Southern State College.

Acts 1975, No. 343, § 1, provided, in part, that the board of trustees of any state-supported, accredited four-year institution of higher learning in Arkansas could, by appropriate action of the board taken only on or before September 1, 1976, provide university status for the institution and select and adopt an appropriate name for the institution. The section further provided that the name selected must be approved by the State Board of Higher Education, which was responsible for coordinating the name selections in order to prevent the selection of names which were duplications of, or would cause confusion with, the names of

other state institutions of higher learning. The name was subsequently changed to Southern Arkansas University.

Effective Dates. Acts 1945, No. 7, § 7: approved Jan. 26, 1945. Emergency clause provided: "It is hereby found and declared that Act Number One of the Acts of the General Assembly of 1943 abolished the Board of Trustees for the Third District Agricultural and Mechanical College and made no provisions for the appointment of a new Board of Trustees for said College and because of the present uncertain status of the Trustees for the Third District Agricultural and Mechanical College great confusion has arisen; and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist and this act shall take effect and be in full force from and after its passage."

Acts 1975, No. 171, § 4: July 1, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly that the higher educational needs of this State, and especially of those citizens living in South Arkansas, may be better met by the expansion and coordination of educational and training services and facilities as provided in this Act, and that in order to enable the Board of Trustees and of Southern State College to make preparations for the expansion of duties of said Board of Trustees and of Southern State College, as authorized in this Act, it is necessary that this Act take effect on July 1, 1975, and that without the immediate passage hereof, and extension of the Regular Session of the Seventieth General Assembly could unduly delay the effectiveness of this Act. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after July 1, 1975."

Acts 1989 (1st Ex. Sess.) No. 152, § 28:

July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-65-401. Board of Trustees of Southern Arkansas University.

(a) The Governor, by and with the advice and consent of the Senate, shall appoint a board of five (5) members as trustees for Southern Arkansas University.

(b) The board shall constitute the Board of Trustees of Southern Arkansas University and shall be appointed from the counties in the Third Agricultural and Mechanical College District.

(c)(1) All board members appointed under the provisions of this section shall be qualified electors and shall reside in the State of Arkansas.

(2) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, and Justices of the Supreme Court and the director or employees of any state department, state agency, or state institution shall not be eligible for membership on the board appointed under this section.

(d) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. However, members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until such appointments shall be rejected by the Senate.

(e)(1) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30) days.

(2) If the appointee fails to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(f)(1) The regular term of office of the members of the board to be appointed by the Governor under the provisions of this section shall be arranged in such a manner that the term of one (1) of the board members shall expire on January 14 of each year.

(2) The term of office shall commence on January 15 immediately following the expiration date of the preceding term and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(g) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular term unless the appointment is rejected by the Senate at the next regular session of the General Assembly.

(h)(1) Before entering upon his or her respective duties, each board member shall take, subscribe, and file in the office of the Secretary of State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a misdemeanor and the punishment for the violation shall be by fine of not less than five hundred dollars (\$500) or by imprisonment of not less than six (6) months, or by both fine and imprisonment.

(B) Any contract entered into in violation of the oath shall be null and void.

(i)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but without the right to vote by the member to be removed or his or her successor, which action shall be filed with the Secretary of State with a complete record of the proceedings at the hearing.

(3)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the cause shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1945, No. 7, §§ 1, 3-5; A.S.A. 1947, §§ 80-3124, 80-3126 — 80-3128.

members of the Board of Trustees of Henderson State University are arranged so that one (1) term expires every year.

Publisher's Notes. The terms of the

6-65-402. Board of trustees — Powers and duties.

The Board of Trustees for Southern Arkansas University appointed under the provisions of § 6-65-401 is charged with the management and control of Southern Arkansas University.

History. Acts 1945, No. 7, § 2; A.S.A. 1947, § 80-3125.

Publisher's Notes. Acts 1945, No. 7, § 2, provided, in part, that the Board of Trustees for the Third District Agricultural and Mechanical College, now South-

ern Arkansas University, would have the powers and duties, and would take over all property and obligations of, the board abolished by Acts 1943, No. 1, § 1 and the honorary board of management established by Acts 1943, No. 1, § 2 (13).

6-65-403. Right of eminent domain.

(a) The right of eminent domain is granted to Southern Arkansas University located at Magnolia to condemn property wherever and whenever the acquisition of property is necessary for the use of the university.

(b) All suits for condemnation of property under the provisions of this section shall be brought by the university in the name of the State of Arkansas.

(c)(1) Before any suit can be instituted, it shall be necessary for the Board of Trustees of Southern Arkansas University to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the university.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, together with the legal description of the lands.

(d)(1) Upon adoption of the resolution, the board of trustees is authorized to request the prosecuting attorney of the district in which the lands are situated to assist in instituting proper proceedings for the condemnation of the lands.

(2) In the event any prosecuting attorney is requested to institute or to assist in instituting such proceedings, it shall then be the duty of the prosecuting attorney to comply with the request of the board of trustees.

(e) Before this right and power is utilized in any individual case, the board of trustees shall exercise every reasonable effort to obtain the property in question at a reasonable price by negotiation, and the trial court shall so find.

(f) It shall be the duty of the Attorney General of the State of Arkansas to handle all appeals taken to the Supreme Court of the state from any such actions.

History. Acts 1957, No. 136, §§ 1-3;
A.S.A. 1947, §§ 80-3130.1 — 80-3130.3.

6-65-404. SAU-Tech.

(a) The Board of Trustees of Southern Arkansas University and the President of Southern Arkansas University shall operate SAU-Tech as a technical division of Southern Arkansas University.

(b) The board of trustees, through the president, is authorized to establish appropriate rules and regulations for the operation of SAU-Tech.

(c) The board of trustees shall operate the properties belonging to the division in accordance with the terms of and for the respective purposes as set forth in the conveyances and agreements by which the properties were donated to the State Board of Workforce Education and Career Opportunities.

History. Acts 1975, No. 171, § 2; A.S.A. 1947, § 80-3125.2; Acts 1993, No. 447, § 2.

Publisher's Notes. Acts 1975, No. 171, § 2, provided, in part, for the transfer of Southwest Technical Institute at Camden to the control of the Board of Trustees of Southern State College, (now Southern Arkansas University). Section 2 further provided for the transfer of all properties and funds of the Southwest Technical Institute by the State Board of Vocational Education to Southern State College, (now Southern Arkansas University). The

Board of Trustees of Southern State College was to assume all liabilities and obligations of Southwest Technical Institute. Section 2 further provided that all personnel of the Southwest Technical Institute who were members of the Teacher Retirement System of Arkansas would be eligible to continue to participate therein and that nothing in the act would deprive any member of the Southwest Technical Institute of any rights, privileges, or benefits they had acquired as employees of the institute prior to the date of its transfer to Southern Arkansas University.

6-65-405. SAU-Tech advisory committee.

(a) There is established for SAU-Tech an advisory committee.

(b)(1) The advisory committee shall consist of nine (9) resident electors of this state to be appointed by the Governor.

(2) Members of the advisory committee shall be appointed from the state at large and shall consist of persons who, because of education, business, or technical knowledge, training, or experience, have a demonstrated interest in advanced vocational and technical training.

(c) The members of the advisory committee shall be appointed for nine-year staggered terms.

(d) Members of the advisory committee shall organize by electing one (1) of their members chair and electing such other officers as the committee may determine.

(e) Members of the advisory committee shall serve without pay but may receive expense reimbursement in accordance with § 25-16-901 et seq.

(f) The advisory committee shall advise the Board of Trustees of Southern Arkansas University and the Director of SAU-Tech with respect to all aspects of the programs, activities, and operation of SAU-Tech.

History. Acts 1975, No. 171, § 2; A.S.A. 1947, § 80-3125.2; Acts 1993, No. 447, § 3; 1997, No. 250, § 35.

Publisher's Notes. The terms of the

members of the Southwest Technical Institute Division Advisory Committee are arranged so that one (1) term expires on January 14 of each year.

6-65-406. El Dorado Branch.

(a) The Board of Trustees of Southern Arkansas University is authorized to establish and operate in or near El Dorado a branch of that university to be known as Southern Arkansas University, El Dorado Branch, and shall operate at the campus a program of junior college instruction, including offerings of community college instruction as contemplated by Acts 1973, No. 103 [repealed].

(b) The Arkansas Higher Education Coordinating Board is authorized to recognize the Southern Arkansas University, El Dorado Branch and shall have all powers and duties with respect to the El Dorado Branch as provided to the board for other state-supported community colleges and institutions of higher learning.

(c)(1) The Board of Trustees of Southern Arkansas University shall serve as the Board of Trustees of Southern Arkansas University, El Dorado Branch.

(2) The board of trustees shall exercise all powers and duties for the El Dorado Branch campus as the board is authorized by law to exercise for the Magnolia campus of the university.

(3) The board of trustees may acquire land and improvements thereon by gift, grant, donation, or purchase and may rent or lease buildings and facilities as deemed necessary for the efficient operation of the El Dorado Branch.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1.

A.C.R.C. Notes. Acts 1991, No. 639, § 5, provided: "The Southern Arkansas University — El Dorado Branch shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Southern Arkansas University — El Dorado Branch shall be allowed to hire adjunct professors and visiting professors

who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Southern Arkansas University — El Dorado Branch does not exceed 25% of that required for a full-time employee."

6-65-407. El Dorado Branch Advisory Committee.

(a) There is established a Southern Arkansas University, El Dorado Branch Advisory Committee.

(b)(1) The advisory committee shall consist of seven (7) members to be appointed by the Board of Trustees of Southern Arkansas University.

(2) The members of the advisory committee shall be qualified electors of this state residing in the area served by the El Dorado Branch. The advisory committee shall consist of persons interested in community college instruction.

(c) Members shall be appointed for terms of four (4) years.

(d) The advisory committee shall organize by electing one (1) of its members as chair and electing such other officers as the committee shall deem appropriate.

(e) Members of the committee shall serve without pay but may receive expense reimbursement in accordance with § 25-16-901 et seq.

(f) The advisory committee shall advise the Board of Trustees of Southern Arkansas University and the President of Southern Arkansas University and the Chancellor of Southern Arkansas University, El Dorado Branch and the administrative officers of Southern Arkansas University, El Dorado Branch, in regard to all aspects of the operation of that branch.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1; Acts 1997, No. 250, § 36.

Publisher's Notes. The terms of the members of the Southern Arkansas Uni-

versity, El Dorado Branch Advisory Committee are arranged so that four (4) terms expire every two (2) years and three (3) terms expire every four (4) years.

6-65-408. Appropriations.

(a) Moneys appropriated by the General Assembly for the operation, construction, and equipment of the Magnolia campus, SAU-Tech, and the Southern Arkansas University, El Dorado Branch shall be made by separate appropriations in order to assure each campus of its intended level of support.

(b) Funds appropriated for construction and equipment or for the maintenance and operation of each campus shall not be used for any other purpose.

History. Acts 1975, No. 171, § 1; A.S.A. 1947, § 80-3125.1; Acts 1993, No. 447, § 4.

6-65-409. Housing allowance for chancellor — SAU-Tech.

Upon approval by the Board of Trustees of Southern Arkansas University, the Chancellor of SAU-Tech may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 152, § 15; 1993, No. 447, § 5.

A.C.R.C. Notes. References to “this

chapter” in subchapters 1-4 may not apply to this section which was enacted subsequently.

6-65-410. Housing allowance for chancellor — El Dorado Branch.

Upon approval by the Board of Trustees of Southern Arkansas University, the Chancellor of Southern Arkansas University, El Dorado Branch may receive a housing allowance in an amount not to exceed four hundred dollars (\$400) per month in lieu of college housing.

History. Acts 1989 (1st Ex. Sess.), No. 152, § 10.

A.C.R.C. Notes. References to “this

chapter” in subchapters 1-4 may not apply to this section which was enacted subsequently.

CHAPTER 66

HENDERSON STATE UNIVERSITY

SECTION.

6-66-101. Board of Trustees of Henderson State University.

6-66-102. Powers and duties of board.

6-66-103. Participation in federal and state aid authorized.

6-66-104 — 6-66-109. [Repealed.]

SECTION.

6-66-110. Custodian of funds — Payment of bills and accounts.

6-66-111. Limitation of expenditures.

6-66-112. Right of eminent domain.

6-66-113. Report by board of trustees.

6-66-114, 6-66-115. [Repealed.]

A.C.R.C. Notes. Acts 1991, No. 700, § 7, provided: “The Henderson State University shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the Henderson State University shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the Henderson State University does not

exceed 25% of that required for a full-time employee.”

Acts 1995, No. 1158, § 7, provided: “SPECIAL ALLOWANCE. The Board of Trustees of Henderson State University may make special allowances available to any coach who coaches more than one sport in an amount not to exceed \$5,000 per year for any one coach during each year of the 1995-97 biennium.”

Acts 1997, No. 685, § 6, provided: “SPECIAL ALLOWANCE. The Board of Trustees of Henderson State University may make special allowances available to any

coach who coaches more than one sport in an amount not to exceed \$5,000 per year for any one coach during each year of the 1997-99 biennium."

Acts 2003, No. 1614, § 8 provided: "SPECIAL ALLOWANCE. The Board of Trustees of Henderson State University may make special allowances available to any coach who coaches more than one sport in an amount not to exceed \$10,000 per year for any one coach during each year of the 2003-2005 biennium. Further, if the special allowance funds authorized herein are utilized, Henderson State University shall report annually to the Legislative Joint Auditing Committee the exact disposition of those special allowance funds. The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005."

Publisher's Notes. Acts 1929, No. 46, § 1, provided for the donation of the Henderson-Brown College in Arkadelphia, Arkansas, by the Chamber of Commerce of Arkadelphia, Clark County, Arkansas, and the Methodist Episcopal Church South to the State of Arkansas to be operated, maintained, and supported by the state as a standard teacher's college of the same class and standard as the State Teachers College at Conway, now University of Central Arkansas. Acts 1929, No. 46, § 16, provided that if no appropriation was made for the maintenance and operation of Henderson-Brown College after it was taken over and received by the state, the property would revert to the donors.

Acts 1975, No. 4, § 1, changed the name of Henderson State College to Henderson State University. Section 2 of that act provided that the Board of Trustees of Henderson State College would be known as the Board of Trustees of Henderson State University. Section 2 further provided that the Board of Trustees of Henderson State University would be selected in the manner then provided by law and that it would have all the rights, responsibilities, and liabilities with respect to the operation of Henderson State University formerly exercised with respect to Henderson State College. Section 3 of Acts 1975, No. 4, provided that all laws then in effect applicable to Henderson State College would remain in effect and be applicable to Henderson State University. The section further provided that all such laws referring to Henderson State College or its

board of trustees would thereafter be taken and understood to refer to Henderson State University and to the Board of Trustees of Henderson State University, respectively.

Effective Dates. Acts 1929, No. 46, § 18: effective on passage.

Acts 1941, No. 128, § 7: approved Mar. 11, 1941. Emergency clause provided: "It is found and declared that the boards of the educational institutions of this State should be as free of politics as possible, and that elective or appointive officers of the State, because of the press of other duties, are not able to devote the time and attention to the interest of the educational institutions that should be devoted by board members; that some members of the Board of Henderson State Teachers' College and of Teachers' College at Conway do not reside in the territory from which the said colleges draw most of their students and were established to serve; that it would be to the best interests of the institutions to reorganize the boards governing them at the earliest possible date, and that it is therefore necessary for the preservation of the public peace, health and safety that this act become effective without delay; an emergency is hereby declared and this act shall take effect and be in force from and after its passage."

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State or Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order

to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995;

and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-66-101. Board of Trustees of Henderson State University.

(a) There is created an honorary board constituting the Board of Trustees of Henderson State University, which is made and continued a body politic and corporate.

(b)(1) The board shall consist of seven (7) members.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of such appointment within thirty (30) days, and if such appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the seventh year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the

General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board, and shall be thereafter effective until the expiration of the regular terms.

(f)(1) Before entering upon his or her respective duties, each board member shall take and subscribe and file in the office of the Secretary of State an oath to support the United States Constitution and the Arkansas Constitution, and to faithfully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) or by imprisonment of not less than six (6) months, or by both fine and imprisonment.

(B) Any contract entered into in violation of the oath shall be null and void.

(g)(1)(A) There shall be one (1) regular meeting of the board each year to be held within thirty (30) days after the close of commencement week.

(B) Called meetings may be held at the request of the president or of any two (2) members of the board if at least seven (7) days' written notice is given in advance to each member of the called meeting, except in cases of emergency, when three (3) days' notice will suffice.

(2) The board shall elect from its members a chair who shall preside at the meetings of the board, a vice chair who shall preside at the meetings of the board in the absence of the regular chair, and a secretary who shall keep the records of the meetings of the board. The secretary need not be a member of the board.

(3) A majority of the board shall constitute a quorum.

(4) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(h)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal

shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1929, No. 46, §§ 6, 7; Pope's Dig., §§ 13111, 13112; Acts 1941, No. 128, § 6; 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-2704, 80-2705; Acts 1997, No. 250, § 37.

Publisher's Notes. Arkansas Constitution, Amendment 33, § 1, provides, in part, that the terms of office of seven-member boards are seven years. The terms are arranged so that the term of one member expires in every year.

Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing various state in-

stitutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-201, 6-65-202, 6-65-301, 6-65-302, 6-66-102, 6-67-102, 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect their officers, and transact such other business as might come before the meeting.

Cross References. Meetings required to be held once during each quarterly period, § 25-17-208.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-66-102. Powers and duties of board.

(a) The Board of Trustees of Henderson State University created in § 6-66-101 is charged with the management and control of Henderson State University.

(b) The board shall have the power, authority, and duties formerly conferred by law on the board it succeeds, including those set forth in this section.

(c) The board shall be charged with the liabilities of the corporate body which it succeeds.

(d)(1) The board shall:

(A) Have perpetual succession of officers and members;

(B) Have the right to use and keep a common seal and to alter the seal at will;

(C) Have the right to contract and be contracted with;

(D) Have the right to own and purchase, sell, and convey property, real, personal, and mixed; and

(E) Be authorized and empowered to receive and hold donations, devises, bequests, and legacies for the use and benefit of the institution, provided that all property purchased under the authority of this chapter shall be free from liens and encumbrances, and the title of the property, as well as to any donation that the board may receive, shall be taken in the name of the members of the board and shall become the property of the State of Arkansas.

(2) The board shall have full power and authority from time to time to make, constitute, and establish such bylaws, rules, and orders not inconsistent with the laws of the land as seem necessary to it for the regulation, government, and control of themselves as trustees and all officers, teachers, and other persons in the institution, as well as with reference to limitations as to number of pupils to be admitted.

(3) The board shall fix and regulate tuition, all fees, costs, and other charges for attendance at the university.

(4) Admission requirements shall be established by the board in accordance with policies adopted by the board and consistent with the laws and regulations of this state.

(5) The board may:

(A) Hire and regulate faculty and staff;

(B) Establish and regulate the curriculum; and

(C) Grant diplomas and degrees.

History. Acts 1929, No. 46, § 3; Pope's Dig., § 13108; Acts 1941, No. 128, § 4; 1943, No. 1, § 3; A.S.A. 1947, §§ 7-202, 80-2703; Acts 2003, No. 1230, § 1.

Publisher's Notes. The board created by § 6-66-101 succeeded to the power, authority, and duties of the board or commission which was formerly charged with the management or control of Henderson State Teachers College, now Henderson State University, and was charged with the liabilities of the corporate body it succeeded, which was abolished by Acts 1943, No. 1, § 1.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-66-101.

Amendments. The 2003 amendment added (d)(3)-(5).

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303.

CASE NOTES

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963); *Jackson v. Bishop*, 404 F.2d 571 (8th Cir. 1968).

6-66-103. Participation in federal and state aid authorized.

In order to qualify for federal aid to education in its several phases and at different levels of training and activities, Henderson State University is designated and directed to provide for and to participate in the educational training activities which have been or are designated and in the funds appropriated therefor by the federal government, for the support of educational programs for the improved preparation of teachers, both general and vocational, for transportation of children, for improved housing, for night schools, for noncredit educational service, for rural libraries, for vocational guidance, for experimentation and research, for educational planning and demonstrations, and such other federal and state funds as may be provided for the improvement of the administration and facilities of education in the public schools of Arkansas at the elementary, secondary, and collegiate levels.

History. Acts 1941, No. 173, § 5.

CASE NOTES

Cited: *Starnes v. Sadler*, 237 Ark. 325, 372 S.W.2d 585 (1963); *Jackson v. Bishop*, 404 F.2d 571 (8th Cir. 1968).

6-66-104 — 6-66-109. [Repealed.]

Publisher's Notes. These sections, concerning course of study, selection of instructors and pupils, admissions requirements, tuition and fees, degrees, and conservatory of fine arts, were repealed by Acts 2003, No. 1230, § 2. The sections were derived from the following sources:

6-66-104. Acts 1929, No. 46, § 8; Pope's Dig., § 13113; A.S.A. 1947, § 80-2706.

6-66-105. Acts 1929, No. 46, § 8; Pope's Dig., § 13113; A.S.A. 1947, § 80-2706.

6-66-106. Acts 1929, No. 46, § 9; Pope's Dig., § 13114; A.S.A. 1947, § 80-2707.

6-66-107. Acts 1929, No. 46, §§ 9, 13; Pope's Dig., §§ 13114, 13118; A.S.A. 1947, §§ 80-2707, 80-2711.

6-66-108. Acts 1929, No. 46, § 14; Pope's Dig., § 13119; A.S.A. 1947, § 80-2712.

6-66-109. Acts 1929, No. 46, § 15; Pope's Dig., § 13120; A.S.A. 1947, § 80-2713.

6-66-110. Custodian of funds — Payment of bills and accounts.

(a) The Treasurer of State shall be the custodian of the funds of the Board of Trustees of Henderson State University, and he or she shall pay out the funds of the institution only upon warrant issued by the Auditor of State.

(b) The Auditor of State shall issue warrants upon vouchers issued by the President of the Board of Trustees of Henderson State University and attested by the Secretary of the Board of Trustees of Henderson State University.

(c) All bills and accounts against the institution shall be made out and receipted in duplicate, and, when forwarding the payroll and expense list each month, the president shall also forward one (1) set of the bills and vouchers to be filed in the office of the Auditor of State and kept for public inspection.

History. Acts 1929, No. 46, §§ 10, 11; Pope's Dig., §§ 13115, 13116; A.S.A. 1947, §§ 80-2708, 80-2709.

6-66-111. Limitation of expenditures.

(a) It is made the duty of the Board of Trustees of Henderson State University to limit the number of teachers and their compensation and all the actual expenses thereof to the aggregate amount appropriated by the General Assembly for that purpose plus donations, bequests, and the income that may be derived from the vested funds of the institution.

(b) All expenditures made by the board in excess of the funds mentioned in this section are declared unlawful and void.

History. Acts 1929, No. 46, § 12;
Pope's Dig., §§ 13101, 13117; A.S.A. 1947,
§ 80-2710.

6-66-112. Right of eminent domain.

(a)(1) The right of eminent domain is granted to Henderson State University to condemn property located within not more than one-fourth ($\frac{1}{4}$) mile from the boundaries of the university campus, whenever the acquisition of such property is necessary for the use of the university.

(2) However, the right of eminent domain shall not apply to any property belonging to and used by any religious or educational organization.

(b) All suits for condemnation of property under the provisions of this section shall be brought by the university in the name of the State of Arkansas.

(c)(1) Before any suit may be instituted, it shall be necessary for the Board of Trustees of Henderson State University to pass a resolution to the effect that the acquisition of the property sought to be condemned is necessary for the use and benefit of the university.

(2) The resolution shall also set forth the purpose for which the lands are to be condemned, together with the legal description of the lands.

(d)(1) Upon adoption of the resolution, the board of trustees is authorized to request the prosecuting attorney of the district in which the lands are situated to assist in instituting proper proceedings for the condemnation of such lands.

(2) In the event the prosecuting attorney is requested to institute or to assist in instituting such proceedings, it shall then be the duty of the prosecuting attorney to comply with the request of the board of trustees.

(e) It shall be the duty of the Attorney General of the State of Arkansas to handle all appeals taken to the Supreme Court of the state from any such actions.

History. Acts 1959, No. 16, §§ 1-3;
A.S.A. 1947, §§ 80-2716 — 80-2718.

6-66-113. Report by board of trustees.

(a) The Board of Trustees of Henderson State University shall biennially make a report to the General Assembly at the beginning of its session.

(b) The report shall be incorporated in the report of the Director of the Department of Education and shall set forth the financial and scholastic condition of Henderson State University, furnish such suggestions as in the judgment of the board of trustees are necessary for the improvement of the university, and make any further recommendations that may to the board of trustees seem wise and expedient.

History. Acts 1929, No. 46, § 17; Pope’s Dig., § 13121; A.S.A. 1947, § 80-2715.

6-66-114, 6-66-115. [Repealed.]

Publisher’s Notes. Former §§ 6-66-114 and 6-66-115, concerning housing allowances, were repealed by Acts 1999, No. 240, §§ 7, 8. The sections were derived

from the following sources:
6-66-114. Acts 1995, No. 1158, § 8.
6-66-115. Acts 1997, No. 685, § 7.

CHAPTER 67

UNIVERSITY OF CENTRAL ARKANSAS

SECTION.
6-67-101. Establishment and purpose.
6-67-102. Board of Trustees of the University of Central Arkansas.
6-67-103. Powers and duties of board.
6-67-104. Participation in federal and state aid authorized.
6-67-105. Course of study.
6-67-106. Model school.
6-67-107. Selection of instructors and students.

SECTION.
6-67-108. [Repealed.]
6-67-109. [Repealed.]
6-67-110. [Repealed.]
6-67-111. Custodian of funds — Payment of bills and accounts.
6-67-112. Limitation of expenditures.
6-67-113. Payroll deductions.
6-67-114. Biennial report to General Assembly.

A.C.R.C. Notes. Acts 1991, No. 809, § 7, provided: “The University of Central Arkansas shall be exempt from the provisions of Arkansas Code § 19-4-1707 to the extent that the University of Central Arkansas shall be allowed to hire adjunct professors and visiting professors who are currently providing professional and consulting services to the State of Arkansas, providing that they are not in a position to influence decisions regarding the awarding of grants or contracts, and providing that the term of their employment with the University of Central Arkansas does not exceed 25% of that required for a full-time employee.”
Acts 1997, No. 686, § 6, provided: “SPECIAL ALLOWANCE. The Board of Trustees of the University of Central Arkansas may make special allowances available to any coach who coaches more than one sport in an amount not to exceed five thousand dollars (\$5,000) per year for any one coach during each year of the 1997-99 biennium.”

Publisher’s Notes. Acts 1925, No. 31, § 1, changed the name of Arkansas State

Normal School to Arkansas State Teachers’ College. Acts 1967, No. 5, § 1, changed the name of the Arkansas State Teachers’ College to the State College of Arkansas. Acts 1975, No. 3, § 1, changed the name of the State College of Arkansas to the University of Central Arkansas and § 2 of the act provided in part that the University of Central Arkansas would succeed to all the rights and benefits, and would assume all the responsibilities of, the State College of Arkansas.
Effective Dates. Acts 1907, No. 317, § 20: effective on passage.
Acts 1909, No. 100, § 12: effective on passage.
Acts 1941, No. 128, § 7: approved Mar. 11, 1941. Emergency clause provided: “It is found and declared that the boards of the educational institutions of this State should be as free of politics as possible, and that elective or appointive officers of the State, because of the press of other duties, are not able to devote the time and attention to the interest of the educational institutions that should be devoted by board members; that some members of the

Board of Henderson State Teachers' College and of Teachers' College at Conway do not reside in the territory from which the said colleges draw most of their students and were established to serve; that it would be to the best interests of the institutions to reorganize the boards governing them at the earliest possible date, and that it is therefore necessary for the preservation of the public peace, health and safety that this act become effective without delay; an emergency is hereby declared and this act shall take effect and be in force from and after its passage."

Acts 1943, No. 1, § 9: Jan. 14, 1943. Emergency clause provided: "It is hereby found and declared that amendment No. 33 to the Constitution of the State of Arkansas, which will become effective on January 15, 1943, provides that the General Assembly shall arrange the terms of office of the members of boards charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas in such manner that the term of office of one member of said board shall expire each year and that said amendment further provides that the unexpired terms of members serving on the effective date of the amendment shall not be decreased; and, it is further found and declared that the terms of members of all of said Boards do not expire in a manner which will make operative all of the provisions of said amendment. It is found, therefore, that delay in the effective date of this act will create confusion by reason of the uncertain status of present board members, and, that in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this act shall take effect and be in full force from and after its passage and approval."

Acts 1975, No. 3, § 5: Jan. 21, 1975. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that this Act is immediately necessary to meet the expanding needs and responsibilities of the State College of Arkansas to provide additional educational activities on a university level on a statewide basis, and to more adequately fulfill its changing role as a multi-purpose institution of higher learning. The General Assembly further finds that the enrollment of this State-

supported institution of higher learning and the expanded needs and demands for additional services to meet the higher educational needs of the State of Arkansas and its people necessitates the immediate implementation of steps to convert and expand the programs of said institution to include educational opportunities at the university level, and that the immediate passage of this Act is necessary to accomplish the aforementioned purposes. Therefore an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in full force from and after its passage and approval."

Acts 1989 (1st Ex. Sess.), No. 45, § 11: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 is essential to be the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1989 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989."

Acts 1992 (1st Ex. Sess.), No. 24, § 6 and No. 25, § 7: Mar. 5, 1992. Emergency clause provided: "It is hereby found and determined by the General Assembly that some of the language in the law establishing the University of Central Arkansas is obsolete and should be eliminated as soon as possible. Since this act will eliminate the obsolete language, an emergency is hereby declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards

and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace,

health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-67-101. Establishment and purpose.

For the purposes of providing educational opportunities at the university level on a statewide basis and more adequately fulfilling its changing role as a multipurpose, comprehensive institution of higher learning, there is established and maintained an institution to be known as the University of Central Arkansas.

History. Acts 1907, No. 317, § 1, p. 762; C. & M. Dig., § 9586; Pope's Dig., § 13083; A.S.A. 1947, § 80-2601; Acts 1992 (1st Ex. Sess.), No. 24, § 1; 1992 (1st Ex. Sess.), No. 25, § 1.

6-67-102. Board of Trustees of the University of Central Arkansas.

(a) There is created an honorary board constituting the Board of Trustees of the University of Central Arkansas, which is made and constituted a body politic and corporate.

(b)(1) The board shall consist of seven (7) members.

(2) The Governor, by and with the advice and consent of the Senate, shall appoint the members of the board.

(3) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of such appointment within thirty (30) days, and if such appointee shall fail to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(c)(1) Members of the board appointed by the Governor under the provisions of this section, in addition to possessing the qualifications of an elector, shall reside in the State of Arkansas.

(2)(A) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall be ineligible for membership on the board provided for in this section during the time for which he or she was elected or appointed.

(B) No individual may be a member of more than one (1) of the boards created under the provisions of § 25-17-201 at the same time.

(d)(1) The term of office for each member shall commence on January 15 and shall end on January 14 of the seventh year following the year in which the regular term commenced.

(2) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. The members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until the appointments are rejected by the Senate.

(e) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board, and shall be thereafter effective until the expiration of the regular terms.

(f)(1) Before entering upon his or her respective duties, each board member shall take and subscribe, and file in the office of the Secretary of State, an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter, and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)(A) Any violation of the oath shall be a misdemeanor and shall be punished by a fine of not less than five hundred dollars (\$500) or by imprisonment of not less than six (6) months, or by both fine and imprisonment.

(B) Any contract entered into in violation of the oath shall be null and void.

(g)(1)(A) There shall be one (1) regular meeting of the board each year, to be held within thirty (30) days after the close of commencement week.

(B) Called meetings may be held at the request of the president or of any two (2) members of the board if at least seven (7) days' written notice is given in advance to each member of the called meeting, except in cases of emergency, when three (3) days' notice is sufficient.

(2) The board shall elect from its members a chair who shall preside at the meetings of the board, a vice chair who shall preside at the meetings of the board in the absence of the regular chair, and a secretary who shall keep the records of the meetings of the board. The secretary need not be a member of the board.

(3) A majority of the board shall constitute a quorum.

(4) Members of the board provided for in this section may receive expense reimbursement in accordance with § 25-16-901 et seq.

(h)(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board, but the member removed or his or her successor shall have no right to vote on the question of removal.

(3) The removal action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

(4)(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the appeal shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History. Acts 1907, No. 317, §§ 5, 6, p. 762; 1909, No. 100, § 5; C. & M. Dig., §§ 9590, 9591; Pope's Dig., §§ 13094, 13095; Acts 1941, No. 128, § 3; 1943, No. 1, §§ 2, 4-7; A.S.A. 1947, §§ 7-201, 7-203, 7-204 — 7-206, 80-2606, 80-2607; Acts 1997, No. 250, § 38.

Publisher's Notes. Arkansas Constitution, Amendment 33, § 1, provided, in part, that the terms of office of seven-member boards are seven years.

Those provisions of Acts 1943, No. 1 which established honorary boards and commissions governing various state institutions are codified in full as § 25-17-201 et seq. and are codified with respect to particular institutions in this section and §§ 6-43-101, 6-43-102, 6-65-103, 6-65-201, 6-65-202, 6-65-301, 6-65-302, 6-66-101, 6-66-102, 6-67-103.

Acts 1943, No. 1, § 7, provided, in part, that as soon as practicable after January 14, 1943, the board created by this section would meet, organize, elect their officers,

and transact such other business as might come before the meeting.

Acts 1975, No. 3, § 2, provided, in part, that the Board of Trustees of the State College of Arkansas would thereafter be designated as the Board of Trustees of the University of Central Arkansas.

Acts 1975, No. 3, § 3, provided that nothing in the act would have the effect of making any change in the personnel or tenure of office of any member of the Board of Trustees of the State College of Arkansas. The section further provided that the Board of Trustees of the State College of Arkansas would continue to serve as members of the Board of Trustees of the University of Central Arkansas as if the University of Central Arkansas had been the school's name at the time of the appointment of the then-existing members of the board.

Cross References. Semiannual meetings required, § 25-17-208.

CASE NOTES

Cited: Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968); Walther v. McDonald, 243 Ark. 912, 422 S.W.2d 854 (1968).

6-67-103. Powers and duties of board.

(a) The Board of Trustees of the University of Central Arkansas created in § 6-67-102 is charged with the management and control of the University of Central Arkansas.

(b) The board shall have the power, authority, and duties formerly conferred by law on the board which it succeeds, including those set forth in this section.

(c) The board shall be charged with the liabilities of the corporate body which it succeeds.

(d)(1) The board shall:

(A) Have perpetual succession of officers and members;

(B) Have the right to use and keep a common seal and to alter the seal at will;

(C) Have the right to contract and be contracted with; and

(D) Have the right to own, purchase, sell, and convey property, real, personal, and mixed, and be authorized and empowered to receive and hold donations, devises, bequests, and legacies for the use and benefit of the institution, provided that all property purchased under the authority of this chapter shall be free from liens and encumbrances and that the title to the property as well as to any donation that the board may receive shall be taken in the name of the members of the board and shall become the property of the State of Arkansas.

(2) The board shall have full power and authority from time to time to make, constitute, and establish such bylaws, rules, and orders not inconsistent with law as to them seem necessary for the regulation, government, and control of themselves as trustees and all officers, teachers, and other persons by them employed in and about the university, all persons in the institution, and regarding limitations as to number of pupils to be admitted.

(3) The board shall fix and regulate tuition and all fees, costs, and other charges for attendance at the university.

(4) Admission requirements shall be established by the board, in accordance with policies adopted by the board, consistent with the laws and regulations of this state.

(5) The board shall have the authority to grant diplomas and degrees.

History. Acts 1907, No. 317, § 2, p. 762; C. & M. Dig., § 9587; Pope's Dig., § 13091; Acts 1941, No. 128, § 1; 1943, No. 1, § 3; 1975, No. 3, § 2; A.S.A. 1947, § 7-202, 80-2602.2, 80-2605; Acts 2003, No. 207, § 1.

Publisher's Notes. The board created by § 6-67-102 succeeded to the power, authority, and duties of the board which was charged with the management or control of Arkansas State Teachers College, and was charged with the liabilities of the corporate body it succeeded, which was abolished by Acts 1943, No. 1, § 1.

Acts 1975, No. 3, § 2 provided, in part, that the Board of Trustees of the University of Central Arkansas would possess all

the rights, power and authority of the Board of Trustees of the State College of Arkansas, which was also known as Arkansas State Teachers College.

As to codification of Acts 1943, No. 1, see Publisher's Notes to § 6-67-102.

Amendments. The 2003 amendment inserted present (d)(3) and (d)(4) and redesignated former (d)(3) as present (d)(5); and made minor stylistic changes.

Cross References. Authorization for college extension courses, § 6-60-401 et seq.

Cooperative education program in state government, § 21-3-501 et seq.

Regulations as to establishment of branch campuses, § 6-61-303.

CASE NOTES

Cited: *Parsons v. Burns*, 846 F. Supp. 1372 (W.D. Ark. 1993).

6-67-104. Participation in federal and state aid authorized.

In order to qualify for federal aid to education in its several phases and at different levels of training and activities, the University of Central Arkansas is designated and directed to provide for and to participate in the educational training activities which have been or may be designated, and in the funds appropriated therefor by the federal government, for the support of educational programs, for the improved preparation of teachers, both general and vocational, for transportation of children, for improved housing, for night schools, for noncredit educational service, for rural libraries, for vocational guidance, for experimentation and research, for educational planning and demonstrations, and such other federal and state funds as may be provided for the improvement of the administration and facilities of education in the schools of Arkansas at the elementary, secondary, and collegiate levels.

History. Acts 1943, No. 349, § 3.

6-67-105. Course of study.

The Board of Trustees of the University of Central Arkansas shall prescribe the course of study for the University of Central Arkansas.

History. Acts 1907, No. 317, § 9, p. 762; C. & M. Dig., § 9594; Pope's Dig., § 13098; A.S.A. 1947, § 80-2609.

6-67-106. Model school.

The Board of Trustees of the University of Central Arkansas may provide for the establishment of a model school for practice in connection with the University of Central Arkansas and shall make the necessary regulations for the government and support of the model school.

History. Acts 1907, No. 317, § 8, p. 762; C. & M. Dig., § 9593; Pope's Dig., § 13097; A.S.A. 1947, § 80-2608; Acts 2003, No. 207, § 2.

Amendments. The 2003 amendment substituted "may provide" for "shall provide" and made minor stylistic changes.

6-67-107. Selection of instructors and students.

The Board of Trustees of the University of Central Arkansas shall elect instructors and fix their salaries and determine the conditions, subject to limitations specified in this chapter, on which pupils shall be admitted to the privileges of the school, but no election shall be valid unless at least four (4) members of the board shall vote in favor of the applicant whose name is being considered.

History. Acts 1907, No. 317, § 9, p. 762; C. & M. Dig., § 9594; Pope's Dig., § 13098; A.S.A. 1947, § 80-2609.

CASE NOTES

ANALYSIS

Due process.
Election.

Due Process.

Board held to fully satisfy constitutional requirements for notice and a hearing before it offered instructor one year terminal contract. *House v. University of Cent. Ark. ex rel. Bd. of Trustees*, 684 F. Supp. 222 (E.D. Ark. 1988).

Election.

A property interest in tenured status did not arise from the vote by three trustees to award a special tenured contract. Since the requisite four votes needed to comply with this section were lacking, the action was, in effect, a nullity. *House v. University of Cent. Ark. ex rel. Bd. of Trustees*, 684 F. Supp. 222 (E.D. Ark. 1988).

6-67-108. [Repealed.]

Publisher's Notes. This section, concerning admissions requirements, was repealed by Acts 2003, No. 207, § 3. The section was derived from Acts 1907, No.

317, § 11, p. 762; C. & M. Dig., § 9596; Pope's Dig., § 13100; A.S.A. 1947, § 80-2611.

6-67-109. [Repealed.]

Publisher's Notes. This section, concerning tuition and fees, was repealed by Acts 2003, No. 207, § 4. The section was derived from Acts 1907, No. 317, §§ 8, 15,

p. 762; C. & M. Dig., §§ 9593, 9600; Acts 1927, No. 26, § 4; Pope's Dig., §§ 13090, 13097, 13104; A.S.A. 1947, §§ 80-2604, 80-2608, 80-2615.

6-67-110. [Repealed.]

Publisher's Notes. This section, concerning scholarships, was repealed by Acts 1992 (1st Ex. Sess.), Nos. 24 and 25, § 2. The section was derived from Acts

1907, No. 317, § 10, p. 762; C. & M. Dig., § 9595; Pope's Dig., § 13099; A.S.A. 1947, § 80-2610.

6-67-111. Custodian of funds — Payment of bills and accounts.

(a) The Treasurer of State shall be the custodian of the funds of the Board of Trustees of the University of Central Arkansas, and he or she shall pay out the funds of the institution only upon warrant issued by the Auditor of State.

(b) The Auditor of State shall issue warrants upon vouchers issued by the President of the Board of Trustees of the University of Central Arkansas and attested by the Secretary of the Board of Trustees of the University of Central Arkansas.

(c) All bills and accounts against the institution shall be made out and receipted in duplicate, and when forwarding the payroll and expense list each month, the president of the board shall forward one (1) set of such bills and vouchers to be filed in the office of the Auditor of State and kept for public inspection.

History. Acts 1907, No. 317, §§ 12, 13, Dig., §§ 13101, 13102; A.S.A. 1947, §§ 80-p. 762; C. & M. Dig., §§ 9597, 9598; Pope's 2612, 80-2613.

6-67-112. Limitation of expenditures.

(a) It is made the duty of the Board of Trustees of the University of Central Arkansas to limit the number of teachers and their compensation and all the actual expenses thereof to the aggregate amount appropriated by the General Assembly for that purpose plus donations and bequests and the income that may be derived from the vested funds of the institution.

(b) All expenditures made by the board in excess of the funds mentioned in this section are declared unlawful and void.

History. Acts 1907, No. 317, § 14, p. 762; C. & M. Dig., § 9599; Pope's Dig., § 13103; A.S.A. 1947, § 80-2614.

6-67-113. Payroll deductions.

The Board of Trustees of the University of Central Arkansas may permit deductions from the payrolls of university employees, if the employees authorize the deduction, for contributions to:

- (1) The University of Central Arkansas Foundation, Inc.; or
- (2) Other programs or services authorized by the board and provided by the university to its employees.

History. Acts 1989 (1st Ex. Sess.), No. 45, § 7; 2003, No. 207, § 5.

A.C.R.C. Notes. Former § 6-67-113, concerning the University of Central Arkansas Foundation, Inc. — payroll deductions, is deemed to be superseded by this section. The former section was derived from Acts 1987, No. 695, § 7. A similar provision which was also codified as § 6-

67-113, and was previously superseded, was derived from Acts 1985, No. 627, § 7.

Amendments. The 2003 amendment inserted the subdivision (1) designation; inserted "if the employees authorize the deduction" in the introductory language; deleted "when authorized by university employees" following "Foundation, Inc.," in present (1); and added (2).

6-67-114. Biennial report to General Assembly.

(a) The Board of Trustees of the University of Central Arkansas shall biennially make a report to the General Assembly at the beginning of its session.

(b) The report shall be incorporated in the report of the Director of the Department of Education and shall set forth the financial and scholastic condition of the school, furnish such suggestions as in the board's judgment are necessary for the improvement of the university, and shall make any further recommendations that may seem wise and expedient to the board.

History. Acts 1907, No. 317, § 19, p. 762; C. & M. Dig., § 9602; Pope's Dig., § 13105; A.S.A. 1947, § 80-2616.

CHAPTER 68

ELECTRONIC INSTRUCTIONAL MATERIAL

SECTION.

6-68-101. Definitions.

6-68-102. Electronic version of printed instructional material.

6-68-103. Student use requirement.

6-68-104. Electronic versions of nonprinted instructional material.

SECTION.

6-68-105. Transcription into braille — Requests for electronic instructional material.

6-68-106. Copyright protection.

6-68-107. Guidelines.

6-68-108. Violation.

6-68-101. Definitions.

For purposes of this chapter:

(1) "Institution of higher education" means any accredited post-secondary educational institution, college, or university in this state;

(2) "Instructional material or materials" means textbooks and other materials written and published primarily for use by students that are required or essential to a student's success in a course of study in which a student with a disability is enrolled. The determination of which materials are required or essential to student success shall be made by the instructor of the course in consultation with the official making the request pursuant to § 6-68-102(4) in accordance with guidelines issued pursuant to § 6-68-107. "Instructional material or materials" includes nontextual mathematics and science materials to the extent that software is commercially available to permit the conversion of existing electronic files of the materials into a format that is compatible with braille translation software of alternative media for students with disabilities;

(3) "Nonprinted instructional materials" means instructional materials in formats other than print and includes instructional materials that require the availability of electronic equipment in order to be used as a learning resource, including, but not limited to, software programs, video disks, and video and audio tapes;

(4) "Printed instruction material or materials" means instructional material or materials in book or other printed form;

(5) "Specialized format" means braille, audio, or digital text that is exclusively for use by blind or other persons with disabilities; and

(6)(A) "Structural integrity" means all of the printed instructional material, including, but not limited to, the text of the material sidebars, the table of contents, chapter headings and subheadings, footnotes, indexes, glossaries, and bibliographies.

(B) "Structural integrity" need not include nontextual elements such as pictures, illustrations, graphs, or charts. If good faith efforts fail to produce an agreement pursuant to § 6-68-102 between the publisher or manufacturer and the official making the request pursuant to § 6-68-102(4) in accordance with guidelines issued pursuant to § 6-68-107, as to an electronic format that will preserve

the structural integrity of the printed instructional material, the publisher or manufacturer shall provide the instructional material in American Standard Code for Information Interchange text and shall preserve as much of the structural integrity of the printed instructional material as possible.

History. Acts 2001, No. 758, § 1.

RESEARCH REFERENCES

UALR L.J. Survey of Legislation, 2001
Arkansas General Assembly, Education
Law, 24 UALR L.J. 453.

6-68-102. Electronic version of printed instructional material.

An individual, firm, partnership, or corporation that publishes or manufactures printed instructional materials for students attending any institution of higher education in the State of Arkansas shall provide to the accredited institution of higher education for use by students of that school any printed instructional material in an electronic format mutually agreed upon by the publisher or manufacturer and the school. Computer files or electronic versions of printed instructional materials shall maintain the structural integrity of the printed instructional material, be compatible with commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary. The computer files or electronic versions of the printed instructional material shall be provided to the institution of higher education, at no additional cost and in a timely manner, upon receipt of a written request that does all of the following:

(1) Certifies that the institution of higher education has purchased the printed instructional material for use by a student with a disability or that a student with a disability attending or registered to attend that school has purchased the printed instructional material;

(2) Certifies that the student has a disability that prevents him or her from using standard instructional materials;

(3) Certifies that the printed instructional material is for use by the student in connection with a course in which he or she is registered or enrolled; and

(4) Is signed by the coordinator of services for students with disabilities at the institution of higher education and by an official responsible for monitoring compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. At the request of the institution of higher education, the Division of State Services for the Blind of the Department of Human Services or the Department of Workforce Education may prepare and sign the certification.

History. Acts 2001, No. 758, § 1.

6-68-103. Student use requirement.

(a) An individual, firm, partnership, or corporation specified in § 6-68-102 may also require that, in addition to the conditions enumerated in § 6-68-102, the request shall include a statement signed by the student, or if the student is a minor, the student's parent or legal guardian, agreeing to both of the following:

(1) The student will use the electronic copy of the printed instructional material in specialized format solely for his or her own educational purposes; and

(2) The student will not copy or duplicate the printed instructional material for use by others.

(b) If an institution of higher education permits a student to directly use the electronic version of an instructional material, the disk or file shall be copy-protected or reasonable precautions shall be taken to ensure that students do not copy or distribute electronic versions of instructional materials in violation of the Copyright Revisions Act of 1976, 17 U.S.C. § 101 et seq.

History. Acts 2001, No. 758, § 1.

6-68-104. Electronic versions of nonprinted instructional material.

An individual, firm, partnership, or corporation that publishes or manufactures nonprinted instructional materials for students attending any accredited institution of higher education in the State of Arkansas shall provide computer files or other electronic versions of the nonprinted instructional materials for use by students attending the institution, subject to the same conditions set forth in §§ 6-68-102 and 6-68-103(a) for printed instructional materials, when technology is available to convert these nonprinted instructional materials to a format that maintains the structural integrity of the nonprinted instructional materials that is compatible with braille translation and speech synthesis software.

History. Acts 2001, No. 758, § 1.

6-68-105. Transcription into braille — Requests for electronic instructional material.

(a) Nothing in this chapter shall be construed to prohibit a school or any educational assistant, instructor, or tutor from assisting a student with a disability by using the electronic version of printed instructional material provided pursuant to this chapter solely to transcribe or arrange for the transcription of the printed instructional material into braille or to otherwise assist the student. In the event that a transcription is made, the school shall have the right to share the braille copy of the printed instructional material with other students with disabilities.

(b) The president of each institution of higher education may each or in combination with others establish one (1) or more centers to process requests for electronic versions of instructional materials pursuant to this chapter. If a center or centers is established, each of the following shall apply:

(1) The student and the educational institution shall submit requests for instructional material made pursuant to § 6-68-102(4) to the center, which shall transmit the request to the publisher or manufacturer with the appropriate certification;

(2) If there is more than one (1) center, each center shall make every effort to coordinate requests within its segment;

(3) The publisher or manufacturer of instructional material shall be required to honor and respond only to those requests submitted through a designated center; and

(4) If a publisher or manufacturer has responded to a request for instructional materials by a center, or on behalf of all the centers within a segment, all subsequent requests for these instructional materials shall be satisfied by the center to which the request is made.

History. Acts 2001, No. 758, § 1.

6-68-106. Copyright protection.

Nothing in this chapter shall be deemed to authorize any use of instructional materials that would constitute an infringement of copyright under the Copyright Revision Act of 1976, 17 U.S.C. § 101 et seq.

History. Acts 2001, No. 758, § 1.

6-68-107. Guidelines.

The institution of higher education or any center which requests instructional material pursuant to this chapter shall each adopt guidelines consistent with this chapter for its implementation and administration. At a minimum, the guidelines shall address all of the following:

(1) The designation of materials deemed required or essential to student success;

(2) The determination of the availability of technology for the conversion of nonprinted materials pursuant to § 6-68-104 and the conversion of mathematics and science materials pursuant to § 6-68-104;

(3) The procedures and standards relating to distribution of files and materials pursuant to §§ 6-68-102 and 6-68-103(a); and

(4) Other matters as are deemed necessary or appropriate to carry out the purposes of this chapter.

History. Acts 2001, No. 758, § 1.

6-68-108. Violation.

Failure to comply with the requirements of this chapter shall be an act of discrimination pursuant to § 16-123-107(a)(2).

History. Acts 2001, No. 758, § 1.

CHAPTERS 69-70

[Reserved]

CHAPTER 71**IMPROVEMENT DISTRICTS FOR COLLEGES AND
UNIVERSITIES****SECTION.**

- 6-71-101. Definitions.
- 6-71-102. Applicability.
- 6-71-103. City of first class — Special improvement district.
- 6-71-104. Management commission.
- 6-71-105. Public notice of passage of chapter — Methods of approval.
- 6-71-106. Multidistrict counties.
- 6-71-107. Board of assessors — Assessment procedure.
- 6-71-108. Apportionment of assessments — Annual installments.
- 6-71-109. Assessment as lien on real property.
- 6-71-110. Deferral of levy.
- 6-71-111. Limitation on assessments.
- 6-71-112. Assessment of railroads, tramroads, etc.
- 6-71-113. Maintenance assessments.
- 6-71-114. Collector and treasurer.
- 6-71-115. Borrowing of money — Bonds.
- 6-71-116. Warrant for collection of assessments — Form.
- 6-71-117. Publication of notice for collection.
- 6-71-118. Delinquent assessment — Penalty.
- 6-71-119. Suit to enforce lien.
- 6-71-120. Exhibition of resolutions or documents unnecessary.
- 6-71-121. Suits against several owners may be joined.
- 6-71-122. Owner as defendant — Proceedings in rem.

SECTION.

- 6-71-123. Summons — Return day — Default.
- 6-71-124. Constructive service.
- 6-71-125. Suits have precedence over other cases.
- 6-71-126. Form of decree.
- 6-71-127. Suit in name of district.
- 6-71-128. Direction for sale of property.
- 6-71-129. Correction of description of property.
- 6-71-130. Commissioner's deed to purchaser.
- 6-71-131. Sale to best bidder or district.
- 6-71-132. Allowance to special commissioner for sale of land.
- 6-71-133. Certificate of purchase.
- 6-71-134. Redemption.
- 6-71-135. Reimbursement for assessments paid by purchaser.
- 6-71-136. Appeals to Supreme Court.
- 6-71-137. Notice by publication.
- 6-71-138. Appointment of guardian ad litem.
- 6-71-139. Power to hold and acquire property.
- 6-71-140. Acquisition of private property.
- 6-71-141. Construction and maintenance of college or university — Inducing existing institutions to move to district.
- 6-71-142. Requirements for receipt of benefits.

Effective Dates. Acts 1949, No. 260, § 52; Mar. 8, 1949. Emergency clause provided: "That it is found and determined as a fact that the provisions contained in this Act are immediately necessary in order that cities of the first class having a commission form of government may immedi-

ately furnish themselves with adequate college and university facilities and an emergency is hereby declared to exist and this act shall be in full force and effect from and after the date of its passage and approval."

6-71-101. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Assessors" means the assessors named by the improvement district commissioners as provided for in this chapter;

(2) "Collector" means the improvement district collector named by the commissioners of the district;

(3) "Commission" means the five-member board to be appointed as provided for in this chapter;

(4) "Commissioner" means the board of improvement district commissioners appointed by the county judge of the county in which the district is located;

(5) "Corporate limits" means the municipal or city limits of any city of the first class;

(6) "District" means the special improvement districts provided for in this chapter; and

(7) "Real property" shall have the same meaning and signification as are attached to the words in the acts providing for the collection of state, county, and city revenue.

History. Acts 1949, No. 260, § 1; A.S.A. 1947, § 80-3601.

6-71-102. Applicability.

Nothing in this chapter shall apply to cities having a commission form of government.

History. Acts 1949, No. 260, § 2; 1951, No. 119, § 1; A.S.A. 1947, § 80-3602.

6-71-103. City of first class — Special improvement district.

(a) Any city of the first class in this state is created and constituted a special improvement district and shall be a public agency and body politic and corporate under the name of the city with the words "Special Improvement District", and by that name may sue and be sued, plead and be impleaded, and have perpetual succession for the purposes hereinafter designated.

(b) The district may have a common seal and may make such bylaws and regulations from time to time as may be deemed proper, not

inconsistent with this chapter or the laws of this state, for the purpose of carrying into effect the object of its creation.

(c) The district may appoint all officers and agents which it deems necessary and suitable for the conduct of the business of the corporation and may do all other acts and things not inconsistent with the laws of this state which may be proper to carry into effect the purposes and object of this chapter.

History. Acts 1949, No. 260, § 2; 1951, No. 119, § 1; A.S.A. 1947, § 80-3602.

6-71-104. Management commission.

(a) The affairs of the district shall be managed and controlled and all improvements authorized shall be made by a commission which shall be composed of five (5) landowners who are residents of the district.

(b) Within fifteen (15) days after the passage of this act, the members of the commission shall be appointed by the county judge of the county in which the district is located, and they shall serve during the existence of the district.

(c) The commissioners shall not be paid any salary but shall be paid on a per diem basis for the time actually engaged by them in the discharge of the duties of their office.

(d) The commissioners shall qualify by taking an oath that they will faithfully discharge the duties of their position.

(e) They shall elect one (1) of their number president, who shall preside at all meetings of the commission. The president shall vote on all questions and shall be the chief officer of the district.

(f) They shall appoint a secretary who shall hold office at their pleasure, who shall keep a record of the proceedings of the commission and shall receive such compensation as the commission may determine.

(g) A majority of the commission shall constitute a quorum for the transaction of business, and the commission may prescribe rules for its own government and fix its time of meeting.

(h) The commission shall have the right to employ such other persons and agents not mentioned in this chapter as may, in its judgment, be necessary to carry out the objects and purposes of this chapter.

(i) The commission shall make an annual statement showing in full all the transactions of the commission for the year, and a copy of the annual statement shall be filed with the county clerk of the county.

History. Acts 1949, No. 260, §§ 5, 6, 41; A.S.A. 1947, §§ 80-3605, 80-3606, 80-3643.

Publisher's Notes. In reference to the term "passage of this act," Acts 1949, No. 260, § 52, provided that the act would

take effect from and after its passage and approval. The act was signed by the Governor on March 8, 1949.

Meaning of "this act". Acts 1949, No. 260, codified as §§ 6-71-101 — 6-71-142.

6-71-105. Public notice of passage of chapter — Methods of approval.

(a) Immediately upon the organization of the commission, or as soon thereafter as it is convenient, it shall give public notice of the passage of this chapter and of the commission's organization and the purposes of this chapter, and that the public improvement herein contemplated is conditioned upon its approval by a majority in value of the owners of real estate within the district or a majority of the electors voting in a special election which may be held upon this chapter.

(b) This chapter may be submitted in either or both of the following modes to determine whether it shall become operative:

(1)(A) PETITION METHOD. If, at any time within five (5) years from the passage of this act, a petition purporting to be signed by a majority in value of the owners of real property within the district is filed with the commission, the commission shall give public notice of that fact in at least one (1) daily newspaper published in the county and set a day and place for the hearing not less than twenty (20) days after the first publication of the notice.

(B) At the place and time so designated, the commissioners shall examine the petition filed and examine the assessment of the real property within the district and, for the purpose of the hearing, may adjourn from day to day from time to time until the hearing is completed.

(C) At the hearing, any landowner in the district may be heard and evidence may be taken in such manner as the commission may deem proper to determine the fact as to whether the petition is signed by a majority in value of the landowners of the district, as shown by the last county assessment of the lands within the district.

(D)(i) If at the hearing the commissioners find that the petition is not signed by a majority in value of the landowners of the district, as shown by the last county assessment, they shall so declare. Such findings shall terminate proceedings under this chapter unless within the term herein limited another petition purporting to be signed by a majority in value of owners of real estate in the district is filed with the commission, when like proceedings shall again be had to determine whether a majority in value of the landowners of the district have signed the petition. However, the finding that a majority in value has not petitioned for the improvement shall not bar the chapter from becoming effective as provided in subsections (b)(2) and (c) of this section.

(ii) If the commission finds that the petition is signed by a majority in value of the landowners of the district as shown by the last county assessment, they shall so declare and shall proceed to carry out the purposes of this chapter.

(iii) In either event, public notice shall be given in at least one (1) daily paper published in the county of that fact, and a copy of the findings shall be filed with the county court of the county.

(2)(A) **ELECTION METHOD.** The commission may call at any time within five (5) years an election to determine whether this chapter shall become operative and may call subsequent elections after the chapter has failed to carry if the commission has good reasons to believe that a majority of the electors then favor this chapter.

(B) The election held under this section shall be held conformable as nearly as possible to the laws of the state governing general elections.

(C) The commission shall perform the duties of county election commissioners as nearly as applicable.

(D) All citizens of the city in which the district is located who possess a right to vote if the election were a general election for state officers, and no other, shall be entitled to vote in the election.

(E) The commission shall canvass the votes cast at the special elections. If the commission finds that a majority of the votes cast in the election was in favor of this chapter becoming operative, they shall so declare and shall proceed to carry out the purposes of this chapter.

(F) Public notice shall be given of their findings in either event in at least one (1) daily newspaper published in the county in which the district is located, and a copy of their findings shall be filed with the county clerk of such county.

(c) It is the intent of this section to permit this chapter to become operative if it is approved at any time within five (5) years in either of the foregoing methods and not to become operative unless approved within this period by one (1) or the other of the methods provided in this section.

History. Acts 1949, No. 260, § 7; A.S.A. 1947, §§ 80-3607 — 80-3609.

Meaning of "this act". See note to § 6-71-104.

Publisher's Notes. In reference to the term "passage of this act," see note to § 6-71-104.

6-71-106. Multidistrict counties.

In all counties where there are two (2) levying courts, thereby creating separate districts, each district shall be a county for the purpose of this chapter.

History. Acts 1949, No. 260, § 7; A.S.A. 1947, § 80-3609.

6-71-107. Board of assessors — Assessment procedure.

(a) Immediately after ascertaining the cost of the public improvement contemplated by this chapter, the commission shall appoint three (3) assessors.

(b) Each of the assessors shall, before entering upon the discharge of his or her duty, take an oath to well and truly assess, to the best of his or her ability, the value of all benefits to be received by each landowner

by reason of the proposed improvement as affecting each tract of land within the district.

(c) They shall ascertain the value of the real property within the district without the improvement and the value thereof as benefited by the improvement, and they shall charge against each lot, tract, or parcel of real estate in said district an assessment according to the value of the benefit that will accrue to it by reason of the construction of the college or university.

(d)(1) The board of assessors shall, within ninety (90) days after its organization, complete its duties by filing with the commission a list showing the description of the property of the district, the owners' names as far as they appear from the last county assessments, such corrections as they may ascertain should be made, the valuation of each lot, tract, or parcel without the improvement, the valuation with the improvement, and the benefit estimated to accrue to each lot, tract, or parcel by reason of the improvement.

(2) The board shall file with the county clerk of the county the list for the inspection of all persons interested.

(e) Notice of the filing of the assessments shall be given by publication in at least one (1) daily newspaper published in the county, and the notice shall state a date not less than thirty (30) days distant and the place where complaint may be made by any landowner before the board of assessors of any assessment made against his or her property.

(f) The board shall correct any inequalities, injustices, or errors which it may find in the assessment and shall hold meetings for the purpose of hearing the complaints of the owners of land in the district as to the assessment so as to adjust the burden of the assessment to the benefit to accrue to the real property of the complainant.

(g) The board may adjourn from day to day until the hearings are completed.

(h)(1)(A) Any landowner aggrieved by the action of the board may take an appeal to the commission within thirty (30) days from the action of the board upon his or her complaint, or any landowner may appeal from the action of the board from any assessment which acts unequally upon his or her property.

(B) The commission shall hear all appeals and determine them.

(2) Appeals may be taken from the commission to the county court in the same manner as is now provided by law that appeals may be taken from the county equalization boards to the county court, which appeal shall be taken within thirty (30) days from the action of the commission complained of and not thereafter.

(i) The assessors shall be paid on a per diem basis, the amount to be fixed by the commission for the time actually engaged by them in the discharge of the duties of their office.

6-71-108. Apportionment of assessments — Annual installments.

(a) As soon as all of the assessments have been equalized and adjusted as aforesaid, the commission shall, by resolution, charge each lot, tract, and parcel of real estate in the district with an assessment equal to the benefit estimated in the assessment list to accrue to the lot, tract, or parcel of land.

(b) The commission shall apportion the assessment into annual installments so as to realize annually only that sum of money as will be necessary to meet the expenses incurred in each year for interest and a sinking fund to pay the bonded indebtedness with twenty percent (20%) for contingencies.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-109. Assessment as lien on real property.

The assessment of benefits shall be a charge and a lien against all the real property in the district from the date of the resolution and shall be entitled to preference over all judgments, executions, encumbrances, or liens whenever created and shall continue until the local assessments, with any penalty and cost that may accrue thereon, shall be paid. However, between grantor and grantee all payments not due at the date of the transfer of such real property shall be payable by the grantee.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-110. Deferral of levy.

(a) The commission is given the authority to defer the levying of assessments for the first five (5) years after the assessments are made a lien upon the real property of the district if the district has funds with which to meet its interest charges and other debts in the five (5) years from the sale of bonds or other sources.

(b) The authority conferred by this section shall not prevent the annual levying of the assessments unless funds are provided to meet all maturing obligations of the district during the period that the commission is authorized to withhold the annual levies, and any creditors or bondholder may compel by mandamus a levy of an annual assessment equal to one-twentieth ($\frac{1}{20}$) of the indebtedness of the district whenever it is shown that the district does not have sufficient funds to meet its annual maturing indebtedness and the levy has not been made.

(c) The object and purpose of this authority conferred upon the commission is to permit it to withhold, in whole or in part, annual levies for a proportional part of the obligations of the district if in the first five (5) years the district has from the sale of bonds or other sources sufficient funds to meet all its obligations due in the period; otherwise, the levy is to be made and a collection enforced of an assessment equal to one-twentieth ($\frac{1}{20}$) of the entire indebtedness of the district.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-111. Limitation on assessments.

The improvements undertaken by this chapter shall not exceed ten percent (10%) of the valuation of the real property in the district, subject to improvement district assessment, as ascertained by the county assessment of the property referred to heretofore. However, this limitation of ten percent (10%) of valuation shall not prevent an annual assessment as provided in this chapter for the maintenance of the improvement.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-112. Assessment of railroads, tramroads, etc.

(a) All railroads, tramroads, right-of-ways, roadbeds, and appurtenances in the district shall be assessed according to the betterments and increase in value in like manner as is herein prescribed for real estate, except that the assessment shall be made per mile.

(b) No error in the name and residence of the owners or the description thereof shall invalidate the assessment if sufficient description of the property sought to be taxed is given to ascertain where it is situated.

(c)(1) The commissioner shall annually appoint a board of assessors, which shall each year perform the duties provided in this chapter.

(2) The board of assessors shall continue as far as possible the assessments first made but shall take into consideration improvements and enhanced values so as to equalize the burden of taxation within the district.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-113. Maintenance assessments.

(a) For the purpose of maintaining and keeping the improvements in good state, when authorized in the petition provided for in § 6-71-105, the board of assessors shall each year assess the value of all benefits to be received by each lot, tract, or parcel of land in the district by reason of the maintenance and keeping of the improvement for the following year as affecting each of the lots, tracts, or parcels of land and shall at once proceed to record in the assessment book of the district the value of such benefits to accrue to each of the lots, tracts, or parcels of land.

(b) Immediately upon the recording of the assessment of benefits, notice thereof shall be inserted in a newspaper published in the county, and the assessment shall become final unless attacked within thirty (30) days thereafter in the circuit court of the county in which the district is located.

(c) Each annual assessment for such maintenance shall be in addition to the ten percent (10%) limitation permitted for the original cost of the improvement by § 6-71-111 but shall not be in excess of one-fifth of one percent (0.2%) of the valuation of the real property in the district, as ascertained by the county assessment of the property referred to heretofore.

(d) The commission shall provide by resolution for the levy of the assessment of the benefits for the purpose of maintenance as made by the assessors.

(e) The assessment shall be a charge and lien against all the real property in the district from the date of the resolution and shall be entitled to preference over all judgments, executions, encumbrances, or liens whensoever created, except the lien for original assessments, and shall continue until such assessments, with any penalty and costs that may accrue, shall be paid. However, as between grantor and grantee, all payments not due at the date of transfer of such real property shall be payable by the grantee.

(f) Notice and collection of the assessment, the infliction of a penalty for nonpayment, and the enforcement and foreclosure of the lien shall all be had and done in the same manner as is provided in reference to the original assessment.

History. Acts 1949, No. 260, § 9;
A.S.A. 1947, § 80-3611.

6-71-114. Collector and treasurer.

(a) The commission shall appoint a collector and a treasurer for the district.

(b) These officers shall execute bonds to the commission in sums equal to twice the amount of money which will probably come into their hands, with good and sufficient security to be approved by the commission, conditioned that they will faithfully discharge the duties of their office and account for and pay over all moneys that may come into their hands, according to law and the order of the commission.

(c) The collector shall receive a sum not to exceed two percent (2%) and the treasurer not to exceed one percent (1%) of the moneys that come into his or her hands for the services performed.

History. Acts 1949, No. 260, § 10; be affected by optional blanket bond provisions adopted pursuant to § 21-2-601 et
A.S.A. 1947, § 80-3612.
A.C.R.C. Notes. Subsection (b) may seq.

6-71-115. Borrowing of money — Bonds.

(a) In order to hasten the completion of the improvement, the commission is authorized to borrow money not exceeding the estimated cost of improvement, including in the cost of the improvement the interest which may accrue upon the bonds which may be issued to raise funds to pay for the improvement, and to issue interest-bearing bonds

therefor. The commission may pledge all the uncollected assessment, or so much thereof as may be necessary for the payment therefor, except such assessment as may be required to be pledged for the acquisition of the real estate on which the improvement is to be located and such as may be necessary to create a sinking fund to pay the bonds or to retire them.

- (b) The bonds shall be a lien upon the real estate of the district.
- (c) The commission shall create a sinking fund from the annual assessments in order that the bonds may be paid at maturity or retired earlier, if possible, or the commission may provide for the annual retirement of a portion of the bonds from the assessment levied.

History. Acts 1949, No. 260, § 12;
A.S.A. 1947, § 80-3614.

6-71-116. Warrant for collection of assessments — Form.

- (a) Within ten (10) days after the completion of the assessment list and apportionment thereof for the first year, the secretary of the commission shall deliver to the collector a warrant authorizing the collector to collect the assessment of that year from the land in the district.
- (b) The warrant may be in the following form:

“STATE OF ARKANSAS,
..... SPECIAL IMPROVEMENT DISTRICT

To the Collector of the Special Improvement District:
You are hereby commanded to collect from the owners of real property described in the annexed list the assessments as extended thereon for the current year, and to pay the same to the treasurer of said district within sixty (60) days from this date.
Witness my hand and seal of said district this day of
....., 20.....

.....
Secretary”

- (c) The secretary shall annually thereafter extend against each of the lots, tracts, and parcels of real estate the payment due thereon for such year, and shall issue like warrants annually to the collector until the assessment shall be fully paid.

History. Acts 1949, No. 260, § 13;
A.S.A. 1947, § 80-3615.

6-71-117. Publication of notice for collection.

- (a) The collector shall immediately upon receipt of the assessment list cause to be published in a newspaper of general circulation in the district a notice which shall be in the following form:

“SPECIAL ASSESSMENT

The tax books for the collection of the special assessment upon the real property in the Special Improvement District have been placed in my hands. All owners of real property lying in the district are required to pay their assessment to me within thirty (30) days from this date. If such payment is not made, action will be commenced at the end of that time for the collection of the assessment and for legal penalties and costs.

Given unto my hand this day of, 20.....

.....
Collector”

(b) The notice shall be published for two (2) weeks.

History. Acts 1949, No. 260, § 14;
A.S.A. 1947, § 80-3616.

6-71-118. Delinquent assessment — Penalty.

If any assessment made under this chapter is not paid within the time mentioned in the notice published by the collector, the collector shall add thereto a penalty of twenty percent (20%) and shall at once return a list of the property on which the assessments have not been paid to the commission of the district as delinquent.

History. Acts 1949, No. 260, § 15;
A.S.A. 1947, § 80-3617.

6-71-119. Suit to enforce lien.

(a) The commission shall straightway cause a complaint in equity to be filed in the court having jurisdiction of suits for the enforcement of liens upon real property for the condemnation and sale of such delinquent property for the payment of such assessments, penalty, and costs of suit.

(b) In the complaint it shall not be necessary to state more than the fact of the assessment and the nonpayment thereof within the time required by law, without any further statement of any step required to be taken by the commission or any other officer whatever, concluding with the prayer that the delinquent property be charged with the amount of the assessment, penalty, and costs of suit and be condemned and sold for the payment thereof.

History. Acts 1949, No. 260, § 16;
A.S.A. 1947, § 80-3618.

6-71-120. Exhibition of resolutions or documents unnecessary.

It shall not be necessary to exhibit with the complaint any copy of any resolutions or other document or paper connected with the assessment and collection for the sums assessed under this chapter.

History. Acts 1949, No. 260, § 17;
A.S.A. 1947, § 80-3619.

6-71-121. Suits against several owners may be joined.

It shall be no objection to any suit brought for the purpose that the land of two (2) or more owners are joined in the same proceedings, and such suits may be brought against one (1) or more owners, providing the suit is brought in the county in which the land is situated.

History. Acts 1949, No. 260, § 18;
A.S.A. 1947, § 80-3620.

6-71-122. Owner as defendant — Proceedings in rem.

(a) The owner of property assessed shall be made a defendant if known.

(b) If he or she is not known, that fact shall be stated in the complaint and the suit shall proceed as a proceeding in rem against the property assessed.

History. Acts 1949, No. 260, § 19;
A.S.A. 1947, § 80-3621.

6-71-123. Summons — Return day — Default.

(a) Summons shall be issued, and the defendant shall be required to appear and respond within five (5) days after service.

(b) Upon default a decree shall be rendered against such property for the amount of such assessment, penalty, costs, and attorney's fees.

History. Acts 1949, No. 260, § 20;
A.S.A. 1947, § 80-3622.

6-71-124. Constructive service.

(a) If the sheriff or other officer to whom the writ may be directed shall return that the defendant is not to be found in his or her county, or if the owner is stated in the complaint to be unknown, service shall be made by affixing a copy of the summons to the property assessed or to some part thereof, for fifteen (15) days and by publishing a copy of the summons in some daily paper published in the county for one (1) insertion, and the cause shall be made ready for hearing within fifteen (15) days after such publication. A decree shall be rendered as in case of actual service.

(b) The publication shall be made by the officer having the writ of service and shall be shown by his or her return.

History. Acts 1949, No. 260, §§ 21, 23;
A.S.A. 1947, §§ 80-3623, 80-3625.

6-71-125. Suits have precedence over other cases.

For the purpose of taking every step in such suits as herein referred to, the court shall be always open. All cases brought under this chapter shall have the precedence of all other cases pending in the court and shall be decided within thirty (30) days after service of publication.

History. Acts 1949, No. 260, § 22;
A.S.A. 1947, § 80-3624.

6-71-126. Form of decree.

If the decree is in favor of the district and for the condemnation of the land, it shall be for the penalty and costs of suit as well as for the amount of assessment.

History. Acts 1949, No. 260, § 24;
A.S.A. 1947, § 80-3626.

6-71-127. Suit in name of district.

The suit shall be brought in the name of the district.

History. Acts 1949, No. 260, § 25;
A.S.A. 1947, § 80-3627.

6-71-128. Direction for sale of property.

(a) In its decree of condemnation, the court shall direct that if the sum adjudged shall not be paid within ten (10) days, the property shall be sold by a special commissioner, appointed for that purpose, upon twenty (20) days' notice.

(b) However, only so much of the property shall be sold as will pay the assessment, costs, and penalty, and no more.

History. Acts 1949, No. 260, § 25;
A.S.A. 1947, § 80-3627.

6-71-129. Correction of description of property.

In the event that the description of any lot, tract, or parcel of property upon the list of the assessment hereinbefore provided to be made shall for any reason be uncertain, indefinite, or insufficient, then, in any suit brought to enforce the payment of any assessment, the court shall have power to correct such description and enforce the collection of any assessment therein, having due regard for the right of any party who may have intervened.

History. Acts 1949, No. 260, § 26;
A.S.A. 1947, § 80-3628.

6-71-130. Commissioner's deed to purchaser.

(a) If any land sold under a decree as herein mentioned is not redeemed within the time allowed herein, the court in which the suit is brought for condemnation shall direct the special commissioner to execute to the purchaser or his or her assignee a deed, which may be in the form and have the force and effect of a deed of a special commissioner who has sold lands in a suit brought by an improvement district as prescribed in § 14-90-1303.

(b) The deed mentioned in subsection (a) of this section shall only be made on the filing of the certificate of purchase in the court, unless proof of the loss thereof shall be made to the satisfaction of the court.

History. Acts 1949, No. 260, §§ 27, 28;
A.S.A. 1947, §§ 80-3629, 80-3630.

6-71-131. Sale to best bidder or district.

(a) The property shall be offered to the person who will pay the assessment, penalty, and costs for the least amount of the land.

(b)(1) If none should offer the amount of the assessment, penalty, and costs, then the delinquent land shall be stricken to the special improvement district, and a deed shall be made to it in like manner as to an individual purchaser.

(2) It shall be lawful for the district to hold the land until such time as it may be sold advantageously in the judgment of the commission.

History. Acts 1949, No. 260, § 29;
A.S.A. 1947, § 80-3631.

6-71-132. Allowance to special commissioner for sale of land.

No allowance to the special commissioner for his or her service shall exceed five dollars (\$5.00) for each lot, tract, or parcel of land sold and certificate made by him or her.

History. Acts 1949, No. 260, § 30;
A.S.A. 1947, § 80-3632.

6-71-133. Certificate of purchase.

The special commissioner shall execute to the purchaser a certificate of purchase in which shall be stated the whole sum paid by the purchaser.

History. Acts 1949, No. 260, § 31;
A.S.A. 1947, § 80-3633.

6-71-134. Redemption.

(a) The owner may redeem from the purchaser any time within one (1) year after the sale by paying the purchaser the amount paid by the

purchaser with twenty percent (20%) thereon, which redemption shall be noted upon the margin of the decree by the purchaser.

(b)(1) If the purchaser cannot be found, the court may redeem by paying the amount to the clerk of the court wherein the decree is rendered, who shall then note the redemption as aforesaid.

(2) The clerk shall hold the redemption money subject to the order of the purchaser, free of charge or commission, and pay it over on demand.

(3) If the redemption money is not called for in twenty (20) days, the clerk shall advertise the receipt of the money by a notice inserted one (1) time in some newspaper published in the county.

History. Acts 1949, No. 260, §§ 32, 33; section may be affected by § 18-40-101 et A.S.A. 1947, §§ 80-3634, 80-3635. seq.

A.C.R.C. Notes. The operation of this

6-71-135. Reimbursement for assessments paid by purchaser.

If, in the period allowed for redemption, the purchaser pays any other assessment or tax lawfully levied upon the property, the owner, upon making redemption, shall repay the assessment or tax to the purchaser, with twenty percent (20%) added thereto.

History. Acts 1949, No. 260, § 34; A.S.A. 1947, § 80-3636.

6-71-136. Appeals to Supreme Court.

(a) If any appeal is taken from any decree mentioned in this chapter, the Supreme Court shall advance the cause on its docket and shall hear and decide the cause on as early a day as practicable.

(b) The transcript shall be filed in the office of the Clerk of the Supreme Court within twenty (20) days after rendering the decree appealed from.

(c) The Supreme Court shall either affirm or reverse the decree appealed from or render such a decree as should have been rendered by the lower court or shall remand the decree to the inferior court without delay.

(d) In taking such an appeal, the appellant shall only include in the transcript so much of the records as are related to his or her own land.

(e) No appeal shall be prosecuted from any decree after the expiration of the twenty (20) days herein granted for filing the transcript in the office of the Clerk of the Supreme Court.

History. Acts 1949, No. 260, §§ 35-38; A.S.A. 1947, §§ 80-3637 — 80-3640.

6-71-137. Notice by publication.

If the owners of such property are nonresidents of this state, infants, or persons of unsound mind, notice shall be given by publication in any newspaper in the county where the land is situated which is authorized

by law to publish legal notices, which notice shall be published for the same length of time as may be required in other civil causes.

History. Acts 1949, No. 260, § 39;
A.S.A. 1947, § 80-3641.

6-71-138. Appointment of guardian ad litem.

In all cases of infants or persons of unsound mind where no legal representative or guardian appears in their behalf at the hearing, it shall be the duty of the court to appoint a guardian ad litem who shall represent their interest for all purposes.

History. Acts 1949, No. 260, § 40;
A.S.A. 1947, § 80-3642.

6-71-139. Power to hold and acquire property.

(a) The special improvement district created in this chapter shall have the power to acquire and hold real and personal property and may receive gifts, donations, and bonuses for the purpose of carrying out the object and purpose of the chapter.

(b) The district shall have power to acquire such real estate as may be necessary for the reestablishment and expansion of the college or university, and the commission is clothed with authority to contract for the necessary land for the improvement and to pledge so much of the revenues of the district as may be necessary to pay for the improvement.

(c) The improvement district herein created may construct, operate, and maintain the improvement on the lands of private individuals or corporations, provided that, just damages shall be paid to the private owners of land taken or used for the improvement.

History. Acts 1949, No. 260, § 42;
A.S.A. 1947, § 80-3644.

6-71-140. Acquisition of private property.

(a) In the event that the special improvement district fails to obtain, by agreement with the owner, property for the improvement or the right thereto, it may apply to the circuit court of the county in which the property is assessed, giving the owner of such property at least ten (10) days' notice in writing of the time and place where the petition will be heard.

(b) The petition shall, as nearly as may be, describe the real estate which is sought and for which damages are asked to be assessed, whether improved or unimproved, and be sworn to by one (1) of the commissioners.

(c) It shall be the duty of the court to impanel a jury of twelve (12) persons, as in other civil cases, to ascertain the amount of compensation

which the district shall pay, and the matter shall proceed and then be determined as in other civil causes.

(d) The amount of damages to be paid the owner of the lands for the use of such district shall be determined and assessed irrespective of any benefit the owner may receive from any improvement proposed by such district.

(e) In all cases where damages for the site of expansion for the use of the district have been assessed in the manner hereinbefore provided, it shall be the duty of such improvement district to deposit with the court or pay to the owners the amount so assessed and pay such costs as may, in the discretion of the court, be adjudged against it, within thirty (30) days after such assessment; whereupon it shall and may be lawful for such special improvement district to enter upon and use such lands forever.

(f) Where the determination of questions in controversy in such proceedings is likely to retard the progress of the work on the special improvement, the court or judge, in vacation, shall designate an amount of money to be deposited by such district, subject to the order of the court, for the purpose of making compensation when the amount thereof shall have been assessed as aforesaid, and the judge shall designate the place of such deposit.

(g) Whenever a deposit shall have been made in compliance with the order of the court or judge, it shall be lawful for such district to enter upon the land and proceed with its work through and over the land in controversy prior to the assessment and payment of damages for the use and right to be determined as aforesaid.

History. Acts 1949, No. 260, §§ 43-49;
A.S.A. 1947, §§ 80-3645 — 80-3651.

6-71-141. Construction and maintenance of college or university — Inducing existing institutions to move to district.

The district shall have power to construct and maintain a college or university within the boundaries of the district and shall have power to negotiate and contract with and grant inducements to any other college or university now in existence for the removal of the college or university now in existence to that district. However, new buildings shall be constructed by the special improvement district.

History. Acts 1949, No. 260, § 3;
A.S.A. 1947, § 80-3603.

6-71-142. Requirements for receipt of benefits.

(a) No college or university shall be established or reestablished under the provisions of this chapter in the district created by this chapter or shall be made the recipient of or receive any benefits under provisions of this chapter or by reason thereof unless the college or

university has conferred upon its graduates at the time of their graduation regular written degrees of bachelor of arts and bachelor of science for at least ten (10) years prior to January 1, 1949.

(b) No college or university shall be made the recipient of or receive any benefits under the provisions of or by reason of this chapter unless the college or university shall conduct regular four-year academic and scientific courses of study which are adequate and properly qualified for conferring the degrees of bachelor of arts and bachelor of science and other degrees and unless all the buildings occupied by the college or university in the district are wholly new and not in existence on January 1, 1949, and to be constructed thereafter for such college or university.

History. Acts 1949, No. 260, § 4;
A.S.A. 1947, § 80-3604.

CHAPTERS 72-79

[Reserved]

***SUBTITLE 6. POSTSECONDARY EDUCATION —
FINANCIAL ASSISTANCE PROGRAMS***

CHAPTER 80

GENERAL PROVISIONS

SECTION.

- 6-80-101. Records — Reports.
- 6-80-102. Compliance with Selective Service Act required.
- 6-80-103. [Repealed.]

SECTION.

- 6-80-104. Selective Service registration.
- 6-80-105. Student financial aid — Antistacking.

Effective Dates. Acts 1973, No. 745, § 15: July 1, 1973. Emergency clause provided: “It is hereby found and determined by the Sixty-Ninth General Assembly that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1973 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1973 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of

the public peace, health and safety shall be in full force and effect from and after July 1, 1973.”
Acts 1999, No. 1180, § 44: July 1, 1999. Emergency clause provided: “It is hereby found and determined by the Eighty-second General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1999 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1999 could work irreparable harm upon the proper administration and provision of essential governmental programs.

Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the

public peace, health and safety shall be in full force and effect from and after July 1, 1999."

6-80-101. Records — Reports.

(a) The University of Arkansas at Fayetteville shall maintain records of all applicants applying for financial assistance and shall adopt proper administrative procedures to ensure that students attending any state-supported or private institution in Arkansas shall be given the same consideration for receiving financial assistance from the appropriations provided for financial assistance.

(b) In addition, records shall be maintained in a manner such that timely reports shall be filed with the Governor, the General Assembly, and its interim committee stating by name of individual:

(1) The applications received;

(2) The schools in which the applicant did his or her undergraduate college study;

(3) The action taken by the administrator of these aid programs at the university; and

(4) The reason for the action if the financial assistance was denied.

History. Acts 1973, No. 745, § 13.

6-80-102. Compliance with Selective Service Act required.

(a) "Institution of higher education" has the meaning assigned by the Department of Higher Education;

(b) "Statement of selective service status" means a statement certifying that:

(1) The individual filing the statement is registered with the selective service system in accordance with the Military Selective Service Act; or

(2) The individual filing the statement is not required to register with the selective service system because the individual is:

(A) Under eighteen (18) years of age;

(B) In the armed forces of the United States on active duty, other than in a reserve or national guard unit;

(C) Neither a United States citizen nor a resident alien;

(D) A permanent resident of the trust territory of the Pacific Islands or the Northern Mariana Islands; or

(E) Excused from registration for some other reason provided by federal law and that reason is included in the filed statement.

(c) A male under twenty-six (26) years of age is not eligible to receive any loan, grant, scholarship, or other financial assistance for educational expenses that is partially or fully funded by the state or a state agency unless the individual has filed a statement of selective service status with the institution in which the individual plans to enroll.

(d) The department shall, by rule, specify the form of statements of selective service status and the supporting documents to be filed to be in compliance with this section. The department shall distribute to each institution of higher education a copy of all rules adopted under this section.

History. Acts 1989, No. 188, §§ 1-3.
U.S. Code. The Military Selective Ser-

vice Act referred to in this section, is
codified as 50 U.S.C. Appx. § 451 et seq.

6-80-103. [Repealed.]

Publisher's Notes. This section, concern-
ing federal loan program default fees,
was repealed by Acts 1999, No. 478, § 8.

The section was derived from Acts 1995,
No. 260, § 1; 1995, No. 261, § 1.

6-80-104. Selective Service registration.

(a) "Statement of selective service status" means a statement on an application for employment with the State of Arkansas or for admission to any public institution of higher education, sworn under penalty of perjury, that:

(1) The person filing the certificate is registered with the Selective Service System in accordance with the Military Selective Service Act; or

(2) The person filing the certificate is not required to register with the Selective Service System because the person is:

- (A) Under eighteen (18) years of age;
- (B) In the armed forces of the United States on active duty, other than in a reserve or national guard unit;
- (C) An alien lawfully admitted to the United States as a non-immigrant under Section 101(A)(15) of the Immigration and Nationality Act, 8 U.S.C. § 1101, for so long as he continues to maintain a lawful non-immigrant status in the United States;
- (D) A permanent resident of the trust territory of the Pacific Islands or the Northern Mariana Islands; or
- (E) Excused from registration for other reason provided by federal law and that reason is included in the certificate.

(b) No person who is required to register with the Selective Service System shall be eligible for employment by any agency of the State of Arkansas or for admission to any public institution of higher education unless the person has signed a statement of selective service status.

History. Acts 1997, No. 228, § 1.
A.C.R.C. Notes. Because Acts 1997,
No. 228, § 1, codified as this section and
noted under § 21-3-101, deals with both
education and employment, it should be
codified in Title 21 as well as in Title 6.
See § 1-2-303.

Cross References. Students called
into military service, § 6-61-112.
U.S. Code. The Military Selective Ser-
vice Act, referred to in subdivision (a)(1),
is codified as 50 U.S.C. Appx. § 451 et seq.

6-80-105. Student financial aid — Antistacking.

(a)(1) No postsecondary institution shall use public funds in a student aid package which exceeds the recognized cost of attendance at the institution where the student enrolls.

(2) Public funds are defined to include Department of Higher Education scholarships and grants, state general revenues, tuition, or local tax revenue.

(b) All postsecondary institutions shall report to the department the total amount of financial aid from all sources for any student who receives an award from a department program.

(c)(1) When a student receives a total aid package that includes public funds and exceeds the cost of attendance, the institution shall repay public funds in the amount exceeding total cost of attendance.

(2) Such funds repaid shall be credited to the Higher Education Grants Fund Account.

History. Acts 1999, No. 1180, § 14.

CHAPTER 81

STUDENT LOANS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. STUDENT LOAN GUARANTEE FOUNDATION OF ARKANSAS.
3. NURSING STUDENT LOANS. [REPEALED.]
4. UNIVERSITY OF ARKANSAS REVOLVING LOAN FUND.
5. EMERGENCY SECONDARY EDUCATION LOAN PROGRAM. [REPEALED.]
6. TEACHER AND ADMINISTRATOR ENHANCEMENT AND RETRAINING GRANT PROGRAM.
7. RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS.
8. MINORITY TEACHER EDUCATION LOAN PROGRAM. [REPEALED.]
9. FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE TEACHER LOAN PROGRAM. [REPEALED.]
10. GRANT PROGRAM FOR NURSE MIDWIFE STUDENTS. [REPEALED.]
11. FINANCING POST-SECONDARY OUT-OF-STATE EDUCATION.
12. GRADUATE NURSING PRACTICE AND NURSE EDUCATOR STUDENT LOANS AND SCHOLARSHIPS.
13. UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM.
14. NURSING STUDENT LOAN PROGRAM.
15. STATE TEACHER ASSISTANCE RESOURCE PROGRAM.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-81-101. Definitions.
- 6-81-102. Arkansas Student Loan Authority.
- 6-81-103. Nonprofit corporation in lieu of authority allowed.
- 6-81-104. Regulations.
- 6-81-105. Cooperation by Student Loan Guarantee Foundation of Arkansas.
- 6-81-106. Financing authority.
- 6-81-107. Bonds, notes, etc. — Consent of State Board of Finance —

SECTION.

- Maximum amount of outstanding obligations.
- 6-81-108. Bonds, notes, etc. — Governor's consent.
- 6-81-109. Bonds, notes, etc. — Authorizing resolution — Terms and conditions.
- 6-81-110. Bonds, notes, etc. — Trust indentures.
- 6-81-111. Bonds, notes, etc. — Execution and seal.
- 6-81-112. Bonds, notes, etc. — Sale.

SECTION.

- 6-81-113. Bonds, notes, etc. — Liability.
- 6-81-114. Bonds, notes, etc. — Pledge of revenues.
- 6-81-115. Bonds, notes, etc. — Contract between Arkansas Student Loan Authority and obligation holder.
- 6-81-116. Bonds, notes, etc. — Tax exemption.
- 6-81-117. [Repealed.]
- 6-81-118. Cash funds — Sufficient redemption fund required.
- 6-81-119. Refunding obligations.
- 6-81-120. Obligations designated as legal and authorized investments.
- 6-81-121. Bonds, notes, etc. — Sufficient

SECTION.

- security for state and local funds.
- 6-81-122. Bonds, notes, etc. — Investment of excess funds.
- 6-81-123. [Repealed.]
- 6-81-124. Student loan funds.
- 6-81-125. Contractual capacity of students — Minority defense.
- 6-81-126. Purchase of student loan note.
- 6-81-127. Students of proprietary institutions — Reports.
- 6-81-128. Collection of defaulted loans.
- 6-81-129. Contracts with entities for certain services authorized.
- 6-81-130. Annual audit.
- 6-81-131. Administration of existing programs.

A.C.R.C. Notes. References to this "subchapter" in §§ 6-81-101 through 6-81-130 may not apply to § 6-81-131 which was enacted subsequently.

Publisher's Notes. Acts 1983, No. 937, § 8; 1983 (Ex. Sess.), No. 39, § 2; 1983 (Ex. Sess.), No. 51, § 2; 1985, No. 429, § 11, and 1985, No. 449, § 11, all provided that it was the intent of those acts that the provisions of Acts 1977, No. 873 which were not specifically affected by those acts were to remain in full force and effect.

Acts 1987, No. 631, § 6, provided that it was the intention of the act to amend such provisions of Acts 1977, No. 873, as amended, as were specifically mentioned in the act, and the remainder of the 1977 act, as amended, would remain in full force and effect as enacted until further amended or repealed.

Preambles. Acts 1979, No. 1072 contained a preamble which read: "Whereas, the institutions of higher education have been participating in the National Defense/Direct Student Loan Program, established under Title II of the National Defense Education Act of 1958 (Public Law 85-64 as amended), and, the National Direct Student Loan Program in accordance with Section 503 of the Education Amendment of 1972 (Public Law 92-318); and

"Whereas, an institution of higher education that participates in the NDSL Program must make a capital contribution in an amount equal to not less than one-

ninth (1/9) of the amount of the federal capital contribution; and

"Whereas, over the past several years many recipients have defaulted on NDSL notes and those notes have been deemed uncollectible; and

"Whereas, the Department of Health, Education and Welfare has agreed to accept those defaulted loans for collection and not consider said defaulted loans in the default rate of the institution in the coming fiscal year; and

"Whereas, institutions of higher education with excessive default rates will no longer be allowed to participate in the national direct Student Loan Program, and it is in the best interest of the State of Arkansas to transfer these loans to the Department of Health, Education and Welfare for collection;

"Now, therefore..."

Effective Dates. Acts 1977, No. 873, § 25: Mar. 30, 1977. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need for providing a secondary market for student loan notes and establishing a fund for the making of student loans; that at the present time the only operating program for providing such funds is dependent upon private financial institutions furnishing the funds for such loans with such loans being guaranteed by the government, but being investments which considering their rate of return, maturity and servicing requirements, pri-

vate financial institutions have been unable to make to the extent required; that it is urgent that a new program be established whereby bonds may be issued by a state agency or nonprofit corporation with the proceeds of such bonds to be used for making student loans and purchasing student loan notes thereby making more readily available educational loans to deserving young people who may now find it difficult to obtain a loan from private institutions and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1977, No. 951, § 7: July 1, 1977. Emergency clause provided: "It is hereby found and determined by the Seventy-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1977 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1977 could work irreparable harm upon the proper administration and providing of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from and after July 1, 1977."

Acts 1979, No. 633, § 4: Mar. 28, 1979. Emergency clause provided: "It is hereby found and determined by the General Assembly of the State of Arkansas that there is an urgent need to amend the requirements for appointing members to the Arkansas Student Loan Authority in order that existing vacancies may be filled and to clarify that fully secured repurchase agreements are authorized investments for Authority funds and that this Act should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1979, No. 1072, § 3: Apr. 18, 1979. Emergency clause provided: "It has been found and determined by the General Assembly of the State of Arkansas that the Department of Health, Education and Welfare will accept for collection the NDSL loans which have been deemed in default and uncollectible by the various institutions of higher education in the nation, without considering the transferred loans in the institutions default rate for the coming fiscal year, and, that those institutions who do not wish to participate in this transfer program and have an abnormally high default rate will no longer be eligible to participate in the National Direct Student Loan Program. Therefore, an emergency is declared to exist, and this Act, being necessary for the immediate preservation of public peace, health and safety shall be in effect from and after its passage and approval."

Acts 1981, No. 296, § 9: Mar. 3, 1981. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to continue and expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1981, No. 762, § 3: July 1, 1981. Emergency clause provided: "It is hereby found and determined that the provisions of this Act are now contained in the appropriation act for the Arkansas Student Loan Authority for the biennium ending June 30, 1981; that the contents of this Act should be general law as opposed to provisions of an appropriation bill; therefore the provisions of this Act should go into effect July 1, 1981 and without an emergency being declared this Act would not go into effect until after July 1, 1981. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1981."

Acts 1983, No. 937, § 10: Apr. 11, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to continue and to expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; that the financing of the program of the Arkansas Student Loan Authority to which this Act pertains is not feasible under existing maximum interest rate limitations; that the continuation and extension of the program of the Arkansas Student Loan Authority is essential to the continued development of the Authority and the education of the deserving persons of this State or persons attending educational institutions in this State; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect, from and after its passage and approval."

Acts 1983 (Ex. Sess.), No. 39, § 3: Nov. 1, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to continue and to expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; that the Arkansas Student Loan Authority may need to expand its program and cannot do so under existing restrictions on the size of its outstanding obligations; that the continuation and extension of the program of the Arkansas Student Loan Authority is essential to the continued development of the Authority and the education of the deserving persons of this State or persons attending educational institutions in this State; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect, from and after its passage and approval."

Acts 1983 (Ex. Sess.), No. 51, § 3: Nov. 1, 1983. Emergency clause provided: "It is

hereby found and determined by the General Assembly that there is an urgent need to continue and to expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; that the financing of the program of the Arkansas Student Loan Authority to which this Act pertains is not feasible under existing restrictions on the sale of its obligations; that the continuation and extension of the program of the Arkansas Student Loan Authority is essential to the continued development of the Authority and the education of the deserving persons of this State or persons attending educational institutions in this State; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 1983 (Ex. Sess.), No. 62, § 2: Nov. 4, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to continue and to expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; that the Arkansas Student Loan Authority may need to expand its program and cannot do so under existing restrictions on the size of its outstanding obligations; that the continuation and extension of the program of the Arkansas Student Loan Authority is essential to the continued development of the Authority and the education of the deserving persons of this State or persons attending educational institutions in this State; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 429, § 12 and No. 449, § 12: Mar. 20, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an

urgent need to continue and to expand the student loan program previously established for the purpose of making educational loans more readily available to deserving young people; that the escalating cost of education makes it desirable to permit the Arkansas Student Loan Authority to make and/or purchase guaranteed educational loans in addition to the Guaranteed Student Loans now authorized; and that the amendment of certain of the provisions of the enabling legislation will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1987, No. 631, § 7: Apr. 4, 1987; Acts 1987, No. 705, § 7: Apr. 7, 1987. Emergency clauses provided: "It is hereby found and determined by the General Assembly that there is an urgent need to permit the Arkansas Student Loan Authority to make and/or purchase guaranteed educational loans that have been or will be insured by guarantors other than the Secretary of Education or the Student Loan Guarantee Foundation of Arkansas, in order that the Authority may better serve the needs of student borrowers in Arkansas. It is further found that removing the existing limitation on the issuance of obligations by the Authority and permitting the Authority to issue obligations, the proceeds of which may be used to acquire investment contracts, will provide the Authority with the flexibility and financial resources that it requires to carry out the purposes for which it was created. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and in effect from and after its passage and approval."

Acts 1989, No. 377, § 3: Mar. 7, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to make clear the ability of the Arkansas Student Loan Authority to sell guaranteed educational loan notes where appropriate to its operations and that the amendment of § 6-81-102 of the Arkansas Code of 1987, as amended, will serve to further and accomplish this purpose.

Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1993, No. 1284, § 12: Apr. 21, 1993. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need to make clear the power and authority of the Arkansas Student Loan Authority to participate in loan programs supplemental to those programs authorized by the federal Higher Education Act of 1965, as amended, in order to better serve the educational needs of the citizens of the state, and that the amendment of Title 6, Chapter 8 of the Arkansas Code will serve to further and accomplish this purpose. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is

hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 923, § 8: July 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly that there is an urgent need to change the program offering annual tuition support for Arkansas students attending out-of-state schools in dentistry, optometry, veterinary medicine, podiatry, osteopathy, and chiropractic as one providing grants instead of loans, and that in the event of an extension of the Regular session, any delay in the effective date of this act beyond July 1, 1997, could work irreparable harm upon the proper administration and provision of such program. Therefore an emergency is declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-81-101. Definitions.

As used in this subchapter:

(1) "Arkansas Student Loan Authority" or "the authority" means the Arkansas Student Loan Authority established for the purpose described in § 6-81-102;

(2) "Board of Finance" means the State Board of Finance created by § 19-3-101;

(3) "Guaranteed educational loan" means a loan made in accordance with Title IV, Part B, of the Higher Education Act of 1965 or pursuant to an alternative educational loan program undertaken by the authority and consistent with the provisions of this subchapter, to a qualified borrower for payment of educational expenses incurred by a student while attending a participating institution, the payment of principal of and interest on which is insured by the United States Secretary of Education under the Higher Education Act of 1965, by the Student Loan Guarantee Foundation of Arkansas, or by other guarantors as the authority may approve;

(4) "Obligation", or "bond", or "bonds" means any bond, note, certificate, or other evidence of indebtedness, whether or not the interest on the obligation shall be subject to federal income taxation;

(5) "Participating institution" means any post-high school educational institution, public or private, whose students are eligible for guaranteed educational loans; and

(6) "Qualified borrower" means a student, or the parent of a student, who:

(A) Qualifies for a guaranteed educational loan; and

(B) Is a resident of the State of Arkansas or has been accepted for enrollment at or is attending a participating institution within the State of Arkansas or is borrowing from a lender doing business within the State of Arkansas, including the authority.

History. Acts 1977, No. 873, § 2; 1981, No. 296, § 1; 1983, No. 937, § 1; 1985, No. 429, § 1; 1985, No. 449, § 1; A.S.A. 1947, § 80-4032; Acts 1987, No. 631, § 1; 1987, No. 705, § 1; 1993, No. 1284, § 1; 1997, No. 923, § 3; 1999, No. 1218, § 5.

Amendments. The 1999 amendment deleted former (3) and redesignated the remaining subsections accordingly; de-

leted “unless the context otherwise requires” following “subchapter” in the introductory language; deleted (8); and made stylistic changes.

U.S. Code. The Higher Education Act of 1965, referred to in this section, is codified primarily as 20 U.S.C. § 1001 et seq. Title IV, Part B of that act is codified as 20 U.S.C. § 1071 et seq.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-102. Arkansas Student Loan Authority.

(a) At the request of the Department of Higher Education to the Governor, by Governor’s proclamation, there is authorized to be established an authority to be known as the Arkansas Student Loan Authority.

(b) The authority authorized to be established is created for the purpose of making guaranteed educational loans and dealing in, by buying or selling, guaranteed educational loan notes.

(c) The authority shall operate solely and exclusively to exercise those powers enacted in this subchapter and shall devote any income after payment of expenses, debt service, and the creation of reserves for the aforementioned to the making of guaranteed educational loans and the purchase of guaranteed educational loan notes.

(d) The authority shall be a public body politic and corporate, with corporate succession, and shall be the instrumentality of the state charged with a portion of the responsibility of the state to provide educational opportunities in keeping with all applicable state and federal laws, and its scope and purpose shall be complementary and supplementary to the authority of the Student Loan Guarantee Foundation of Arkansas, as established by § 6-81-201 et seq.

(e)(1) The authority shall be composed of seven (7) members to be appointed by the Governor.

(2) At least one (1) member of the authority shall be a representative of a bank or other private lending institution, and at least one (1) member shall be a financial aid officer from a participating institution. At least one (1) member of the authority shall be a female and at least one (1) member shall be a member of a racial minority.

(f) All appointments shall be for a term of four (4) years each.

(g) All vacancies in membership on the authority occurring during a term shall be filled by appointment of the Governor for the unexpired portion of the term.

(h) The authority shall meet at such times and at such places and shall remain in session for such periods of time as the authority shall deem necessary to properly carry out its responsibilities under this subchapter.

(i) The members of the authority shall serve without compensation but may receive expense reimbursement in accordance with § 25-16-901 et seq.

(j) The authority shall select from its membership a chair and secretary.

(k) The authority shall employ a director and such other professional and clerical assistance, including legal assistance, as it shall deem necessary or appropriate to properly carry out its responsibilities.

(l) The authority shall adopt such rules and regulations to be followed by the authority in conducting its business as it deems appropriate.

History. Acts 1977, No. 873, §§ 3, 5; 1979, No. 633, §§ 1, 2; 1985, No. 429, § 2; 1985, No. 449, § 2; A.S.A. 1947, §§ 80-4033, 80-4035; Acts 1989, No. 377, § 1; 1997, No. 250, § 39; 1997, No. 923, § 4; 1999, No. 1218, § 6.

A.C.R.C. Notes. The operation of this section may be affected by the enactment of Acts 1995, No. 1211, codified as § 25-16-901 et seq.

Publisher's Notes. The terms of the members of the Arkansas Student Loan Authority are arranged so that one term expires every year and two terms expire in each of the succeeding three years.

Amendments. The 1999 amendment deleted "grants and" following "making" in (b).

CASE NOTES

Proper Party.

Where service was made upon "Latrell L. Dixon, Student Loan Services", the Arkansas Student Loan Authority was not

properly served. *McElhaney v. Student Loan Servs.*, 142 Bankr. 311 (Bankr. E.D. Ark. 1992).

RESEARCH REFERENCES

Ark. L. Rev. Watkins, Open Meetings Under the Arkansas Freedom of Information Act, 38 Ark. L. Rev. 268.

6-81-103. Nonprofit corporation in lieu of authority allowed.

(a) In lieu of establishing an authority under the provisions of this subchapter, the Department of Higher Education may make a request to the Governor, who, by proclamation, may authorize the organization of a nonprofit corporation to exercise the powers enumerated and provided for in this subchapter for and on its behalf.

(b) A corporation agreeing to exercise these powers shall also be charged with the obligations of the authority under the provisions of this subchapter.

(c) The board of directors of the nonprofit corporation shall have the same composition as the Arkansas Student Loan Authority as established in § 6-81-102.

History. Acts 1977, No. 873, § 19;
A.S.A. 1947, § 80-4049.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66,
689 S.W.2d 527 (1985).

6-81-104. Regulations.

The Arkansas Student Loan Authority may adopt such regulations, not inconsistent with this subchapter, as it shall deem necessary and proper in carrying out the purposes and intentions of this subchapter.

History. Acts 1977, No. 873, § 21;
A.S.A. 1947, § 80-4051.

6-81-105. Cooperation by Student Loan Guarantee Foundation of Arkansas.

The director and staff of the Student Loan Guarantee Foundation of Arkansas shall cooperate with and assist the Arkansas Student Loan Authority in carrying out its responsibilities under this subchapter.

History. Acts 1977, No. 873, § 4;
A.S.A. 1947, § 80-4034.

RESEARCH REFERENCES

Ark. L. Rev. Watkins, Open Meetings
Under the Arkansas Freedom of Information Act, 38 Ark. L. Rev. 268.

6-81-106. Financing authority.

In order to provide the necessary funds to carry out the purposes of this subchapter, the Arkansas Student Loan Authority is authorized and empowered to issue obligations from time to time in such principal amounts as it may deem necessary.

History. Acts 1977, No. 873, § 6; 1981, Sess.), No. 62, § 1; A.S.A. 1947, § 80-
No. 296, § 2; 1983 (Ex. Sess.), No. 39, § 1; 4036.
1983 (Ex. Sess.), No. 51, § 1; 1983 (Ex.

CASE NOTES

Electoral Approval.

Student Loan Authority bonds which will be repaid from income derived from the loan notes and investments, with interest payments coming from the federal government and which clearly state on their face that they do not constitute an

indebtedness or obligation of the State of Arkansas, can be issued without the approval of the electorate which is required under Ark. Const., Art. 16, § 1 and Amend. 20. *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-107. Bonds, notes, etc. — Consent of State Board of Finance — Maximum amount of outstanding obligations.

Prior to the issuance of any obligation or the advertisement of revenue bonds for public sale as provided in § 6-81-112, the obligation shall be authorized by resolution of the Arkansas Student Loan Authority, and the State Board of Finance shall first give its consent by resolution adopted at any regular or special meeting of the board to the issuance of any obligation by the Arkansas Student Loan Authority under the authority provided herein.

History. Acts 1977, No. 873, § 6; 1981, § 80-4036; Acts 1987, No. 631, § 2; 1987, No. 296, § 2; 1983 (Ex. Sess.), No. 39, § 1; No. 705, § 2.
1983 (Ex. Sess.), No. 62, § 1; A.S.A. 1947,

CASE NOTES

Electoral Approval.

Student Loan Authority bonds which will be repaid from income derived from the loan notes and investments, with interest payments coming from the federal government and which clearly state on their face that they do not constitute an

indebtedness or obligation of the State of Arkansas, can be issued without the approval of the electorate which is required under Ark. Const., Art. 16, § 1 and Amend. 20. *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-108. Bonds, notes, etc. — Governor's consent.

The powers of the Arkansas Student Loan Authority created by this subchapter are limited in that no bonds which are to be issued pursuant to this subchapter shall be sold until the bond issue has the written approval of the Governor after he or she has received the advice of the Legislative Council.

History. Acts 1981, No. 762, § 1; 1983, No. 937, § 9; A.S.A. 1947, § 80-4056.

6-81-109. Bonds, notes, etc. — Authorizing resolution — Terms and conditions.

(a) The obligations of each series shall be authorized by resolution of the Arkansas Student Loan Authority.

(b) The obligations may have coupons attached and may be payable to bearer or may be registrable as to principal only or as to principal and interest, may be made exchangeable for obligations of another denom-

ination, may be in such form and denomination, may have such date or dates, may be stated to mature at such times, may bear interest payable at such times and at such rate or rates, may be made payable at such places within or without the State of Arkansas, may be made subject to such terms of redemption in advance of maturity at such prices, and may contain such terms and conditions, all as the authority shall determine.

(c) The obligations shall have all the qualities of negotiable instruments under the laws of the State of Arkansas, subject to provisions as to registration as set forth in subsection (b) of this section.

(d) The authorizing resolution may contain such other terms, covenants, and conditions not inconsistent with this subchapter that are deemed desirable by the authority, including, without limitation, those pertaining to:

- (1) The maintenance of various funds and reserves;
- (2) The nature and extent of the security;
- (3) The issuance of additional obligations and nature of the lien and pledge, parity or priority, in that event;
- (4) The custody and application of the proceeds of the obligations;
- (5) The collection and disposition of revenues;
- (6) The investing in securities specified by the authority of any funds during periods of time when the funds are not needed for authorized purposes; and
- (7) The rights and duties of the authority and the holders and registered owners of the obligations.

History. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; A.S.A. 1947, § 80-4036.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-110. Bonds, notes, etc. — Trust indentures.

The authorizing resolution may provide for the execution by the Arkansas Student Loan Authority with a bank or trust department within or without the State of Arkansas of a trust indenture containing such terms, covenants, and conditions not inconsistent with this subchapter as are deemed desirable by the authority, including, without limitation, those pertaining to:

- (1) The maintenance of various funds and reserves, the nature and extent of the security;
- (2) The issuance of additional obligations and the nature of the lien and pledge, parity or priority, in that event;
- (3) The custody and application of the proceeds of the obligations;
- (4) The collection and disposition of revenues;

(5) The investing and reinvesting in securities specified by the authority of any funds during periods of time when the funds are not needed for authorized purposes; and

(6) The rights and duties of the authority, of the trustee, and of the holders and registered owners of the obligations.

History. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; A.S.A. 1947, § 80-4036.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-111. Bonds, notes, etc. — Execution and seal.

(a)(1) Obligations shall be executed by the manual or facsimile signature of the chair and the manual or facsimile signature of the secretary of the Arkansas Student Loan Authority.

(2) Coupons attached to obligations shall be executed by the manual or facsimile signature of the chair of the authority.

(b) In case any of the officers whose signatures appear on the obligations or coupons shall cease to be such officers before the delivery of such obligations or coupons, their signatures shall, nevertheless, be valid and sufficient for all purposes.

(c) The authority shall adopt and use a seal in the execution and issuance of obligations, and each obligation shall be sealed with the seal of the authority or a facsimile thereof.

History. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; A.S.A. 1947, § 80-4036.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-112. Bonds, notes, etc. — Sale.

(a) Obligations may be sold at public sale on sealed bids or by negotiation.

(b)(1) If obligations are sold at public sale, notice of the sale shall be published at least once in a newspaper published in Little Rock, Arkansas, and having a general circulation through the State of Arkansas, with the first publication to be at least ten (10) days prior to the date of sale. Notice may be published in such other publications as the Arkansas Student Loan Authority may determine.

(2) If obligations are sold at a negotiated sale, the authority shall solicit proposals from prospective purchasers after reasonable public notice of the solicitation. Requests for proposals may be solicited from

prospective purchasers upon the advice of the authority's financial advisor.

(c) All obligations may be sold at such price as the authority may accept, including sale at a discount.

(d) The authority shall have the right to reject any and all bids at a public sale and the right to reject any and all proposals for a negotiated sale.

History. Acts 1977, No. 873, § 6; 1983, No. 937, § 2; 1983 (Ex. Sess.), No. 51, § 1; A.S.A. 1947, § 80-4036.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-113. Bonds, notes, etc. — Liability.

(a) It shall be plainly stated on the face of each obligation that:

(1) It has been issued under the provisions of this subchapter;

(2) The obligations shall be obligations only of the Arkansas Student Loan Authority;

(3) In no event shall they constitute an indebtedness for which the faith and credit of the State of Arkansas or any of its revenues are pledged; and

(4) They are not secured by a mortgage or lien on any land or buildings belonging to the State of Arkansas.

(b) No member of the authority shall be personally liable on the obligations or for any damages sustained by anyone in connection with any contracts entered into in carrying out the purpose and intent of this subchapter unless he or she has acted with a corrupt intent.

History. Acts 1977, No. 873, § 7; 1981, No. 296, § 3; A.S.A. 1947, § 80-4037.

CASE NOTES

Cited: *Turner v. Woodruff*, 286 Ark. 66, 689 S.W.2d 527 (1985).

6-81-114. Bonds, notes, etc. — Pledge of revenues.

The obligations of the Arkansas Student Loan Authority shall be payable from and secured by a pledge of revenues derived from or by reason of ownership of guaranteed educational loan notes and investment income after deduction of expenses of operating the authority's program.

History. Acts 1977, No. 873, § 12; 1985, No. 449, § 6; A.S.A. 1947, § 80-1981, No. 296, § 5; 1985, No. 429, § 6; 4042.

6-81-115. Bonds, notes, etc. — Contract between Arkansas Student Loan Authority and obligation holder.

(a) Any authorizing resolution by the Arkansas Student Loan Authority and any trust indenture or other loan agreement shall, together with this subchapter, constitute a contract between the authority and the holders of any obligation of the authority.

(b) The contract and all covenants, agreements, and duties therein shall be promptly performed in strict compliance with the terms and provisions of such contract, and the covenants, agreements, and duties of the authority may be enforced by mandamus or other appropriate proceedings at law or in equity.

History. Acts 1977, No. 873, § 14; 1981, No. 296, § 6; 1983, No. 937, § 4; A.S.A. 1947, § 80-4044.

6-81-116. Bonds, notes, etc. — Tax exemption.

(a) Obligations issued under the provisions of this subchapter and the interest thereon shall be exempt from all state, county, and municipal taxes; and

(b) The exemption shall include income, inheritance, and estate taxes.

History. Acts 1977, No. 873, § 20; 1981, No. 296, § 7; A.S.A. 1947, § 80-4050.

A.C.R.C. Notes. Arkansas Constitution, Amendment 57, § 1 provides that the General Assembly may classify intangible personal property for assessment at lower percentages of value than other property and may exempt one or more

classes of intangible personal property from taxation, or may provide for the taxation of intangible personal property on a basis other than ad valorem. Section 26-3-302 exempts all intangible personal property in this state from all ad valorem tax levies of counties, cities, and school districts in the state as of January 1, 1976.

6-81-117. [Repealed.]

Publisher's Notes. This section, concerning bond redemption and interest funds, was repealed by Acts 1993, No. 1284, § 2. The section was derived from

Acts 1977, No. 873, § 12; 1981, No. 296, § 5; 1985, No. 429, § 6; 1985, No. 449, § 6; A.S.A. 1947, § 80-4042.

6-81-118. Cash funds — Sufficient redemption fund required.

(a) All moneys received by the authority of its trustee as repayment of principal or interest, including payments by the United States as subsidies, in payment of the guarantee on guaranteed educational loans made or purchased under the authority of this subchapter or as income on any other investment authorized by this subchapter are hereby specifically declared to be cash funds.

(b) The moneys shall not be deposited in the State Treasury but shall be deposited as required by the agreement or trust indenture for each different series of obligations of the Arkansas Student Loan Authority.

(c) A sufficient amount of such money shall always be made available to any redemption fund securing outstanding obligations of the authority to ensure their payment and interest thereon as they mature.

History. Acts 1977, No. 873, § 13; 4043; Acts 1987, No. 631, § 4; 1987, No. 1983, No. 937, § 3; 1985, No. 429, § 7; 705, § 4.
1985, No. 449, § 7; A.S.A. 1947, § 80-

6-81-119. Refunding obligations.

(a) The Arkansas Student Loan Authority may, by resolution, provide for the issuance of refunding obligations to refund any outstanding obligations issued under this subchapter together with accrued interest thereon.

(b) Provisions governing the issuance and sale of obligations under this subchapter shall govern the issuance and sale of refunding obligations hereunder insofar as such provisions are applicable.

(c) Refunding obligations may be exchanged for the outstanding obligations or may be sold and the proceeds used to retire the outstanding obligations.

History. Acts 1977, No. 873, § 16;
1983, No. 937, § 5; A.S.A. 1947, § 80-4046.

6-81-120. Obligations designated as legal and authorized investments.

All the obligations issued under this subchapter are legal and authorized investments for banks, savings banks, trust companies, savings and loan associations, insurance companies, fiduciaries, trustees and guardians, any public funds of the State of Arkansas or its political subdivisions, and for any retirement system created by the General Assembly.

History. Acts 1977, No. 873, § 17;
1983, No. 937, § 6; A.S.A. 1947, § 80-4047.

6-81-121. Bonds, notes, etc. — Sufficient security for state and local funds.

When accompanied by unmatured coupons appurtenant thereto, if any, the obligations issued pursuant to this subchapter are sufficient security for all deposits of state funds or funds of political subdivisions of this state at the par value of the obligations.

History. Acts 1977, No. 873, § 17;
1983, No. 937, § 6; A.S.A. 1947, § 80-4047.

6-81-122. Bonds, notes, etc. — Investment of excess funds.

Moneys in funds created by resolution or trust indenture of the Arkansas Student Loan Authority in excess of the amount then necessary for making guaranteed educational loans and purchasing guaranteed educational loan notes under this subchapter or in excess of the amount necessary to meet current debt service may be invested by the authority or on its behalf in:

(1) Direct obligations or obligations whose principal and interest are guaranteed by the United States;

(2) Direct obligations of or participation certificates guaranteed by the Federal Financing Bank, Federal Intermediate Credit Bank, federal land banks, Federal Home Loan Bank, Government National Mortgage Association, or banks for cooperatives;

(3) Certificates of deposit of any bank, savings and loan association, or trust company whose deposits are fully secured by a pledge of securities of any kind specified in subdivision (1) or subdivision (2) of this section;

(4) Certificates of deposit of any bank, savings and loan association, or trust company, which deposit is fully insured by the Federal Deposit Insurance Corporation;

(5) Repurchase agreements sold by any bank, savings and loan association, or trust company, provided that the repurchase agreement is fully secured by a pledge of securities of any kind specified in subdivision (1) or subdivision (2) of this section;

(6) General obligations of the state or its political subdivisions;

(7) Obligations, including investment agreements, of any bank, savings and loan association, trust company, or other financial institution, or a holding company thereof, whose credit is rated in either of the top two (2) rating categories by a nationally recognized credit rating service or corporation;

(8) Money market funds that invest only in obligations described in subdivision (1) or subdivision (2) of this section, or which are rated in the highest two (2) categories by one (1) or more nationally recognized rating agencies; and

(9) Any other investment permitted by the indenture under which such funds are held, provided that such investment is rated as investment grade by one (1) or more nationally recognized rating agencies.

History. Acts 1977, No. 873, § 18; A.S.A. 1947, § 80-4048; Acts 1993, No. 1979, No. 633, § 2; 1983, No. 937, § 7; 1284, § 3.
1985, No. 429, § 9; 1985, No. 449, § 9;

6-81-123. [Repealed.]

Publisher's Notes. This section, concerning repayment of outstanding obligations, was repealed by Acts 1993, No. 1284, § 4. The section was derived from Acts 1977, No. 873, § 6; 1981, No. 296,

§ 2; 1983 (Ex. Sess.), No. 39, § 1; 1983 (Ex. Sess.), No. 62, § 1; A.S.A. 1947, § 80-4036; Acts 1987, No. 631, § 2; 1987, No. 705, § 2.

6-81-124. Student loan funds.

(a) All proceeds derived from a particular obligation under the provisions of this subchapter shall be deposited in a fund to be known as the proceeds fund which shall be maintained in such bank or banks as shall be determined by the Arkansas Student Loan Authority, and funds deposited in the fund shall be expended only on approval of the authority.

(b) A separate and distinct proceeds fund shall be maintained for each different obligation issued by the authority.

(c) Funds credited to a proceeds fund may be used for any or all of the following purposes:

(1) The payment of the necessary expenses, including, without limitation, the costs of issuing the authority's obligations, incurred by the authority in carrying out its responsibilities under this subchapter;

(2) The establishment of a debt service reserve account to secure the payment of obligations;

(3) The making of guaranteed educational loans to qualified borrowers, so long as the authority does not compete with participating private lending institutions in the making of guaranteed educational loans;

(4) The purchase, either directly or acting through a bank with trust powers for its account, of guaranteed educational loan notes executed after March 30, 1977, by qualified borrowers; and

(5) The acquisition of an investment contract or contracts or any other investments permitted under an indenture of the authority securing its obligations. However, the income from the contract, contracts, or investments, after payment of the obligations and all expenses associated therewith, shall be used by the authority to assist in carrying out its purposes under this subchapter.

History. Acts 1977, No. 873, § 8; 1981, 1987, No. 631, § 3; 1987, No. 705, § 3; No. 296, § 4; 1985, No. 429, § 3; 1985, No. 1993, No. 1284, § 5. 449, § 3; A.S.A. 1947, § 80-4038; Acts

6-81-125. Contractual capacity of students — Minority defense.

(a) For the purpose of this subchapter, a student who is a qualified borrower is vested with full capacity to contract and is bound by any contract executed by him or her under the provisions of this subchapter.

(b) The fact that the student was a minor at the time he or she executed the note shall not be a defense in any action arising on the note.

History. Acts 1977, No. 873, § 10; 1985, No. 429, § 4; 1985, No. 449, § 4; A.S.A. 1947, § 80-4040.

6-81-126. Purchase of student loan note.

Prior to purchasing a guaranteed educational loan note under the provisions of this subchapter, the Arkansas Student Loan Authority shall reasonably determine:

- (1) That the note represents a loan actually disbursed to a qualified borrower;
- (2) That due diligence both in making and collecting the loan has been exercised with respect to that loan;
- (3) That such loan meets such other reasonable criteria as may be established from time to time by the authority; and
- (4) That no other defects exist affecting the ability of the loan to be guaranteed.

History. Acts 1977, No. 873, §§ 11, 15; §§ 5, 8; A.S.A. 1947, §§ 80-4041, 80-4045; 1985, No. 429, §§ 5, 8; 1985, No. 449, Acts 1993, No. 1284, § 6.

6-81-127. Students of proprietary institutions — Reports.

(a) No more than twenty-five percent (25%) of the funds available to the Arkansas Student Loan Authority for the purchase of guaranteed student loan notes and for making original student loans shall be used to purchase guaranteed student loan notes or to make original student loans to students attending proprietary institutions, as defined by 20 U.S.C. § 1088(b).

(b) The authority shall annually file a report with the House Interim Committee on Education and the Senate Interim Committee on Education showing the aggregate amount of student loans originated or acquired by the authority during the preceding year to students attending four-year, two-year, and vocational schools.

History. Acts 1977, No. 951, §§ 5, 6; A.S.A. 1947, §§ 80-4053, 80-4054; Acts 1993, No. 1284, § 7; 1997, No. 112, § 23.

6-81-128. Collection of defaulted loans.

The state-supported institutions of higher education are authorized to employ collection agencies or use other means to collect defaulted loans or to transfer to the United States Department of Education those defaulted and uncollectible loans which were made under the National Defense Student Loan Program and the National Direct Student Loan Program.

History. Acts 1979, No. 1072, § 1; A.S.A. 1947, § 80-4055.

U.S. Code. The National Defense Student Loan Program, referred to in this section, was established by Title II of the National Defense Education Act of 1958,

which was omitted due to lack of funding. The National Direct Student Loan Program was established by Title IV-E of the Higher Education Act of 1965, codified as 20 U.S.C. § 1087aa et seq.

CASE NOTES

Bankruptcy Proceedings.

Collection agency hired to collect and process educational loan payments had no authority to appear in bankruptcy court on behalf of the loan company; similarly,

notice served upon the collection agency, rather than on the loan company, was inappropriate. In re Smith, 217 Bankr. 567 (Bankr. E.D. Ark. 1998).

6-81-129. Contracts with entities for certain services authorized.

(a) The Arkansas Student Loan Authority may contract with an agency, financial institution, or corporation, whether organized under the laws of this state or otherwise, whereby such agency, financial institution, or corporation shall provide certain billing, accounting, reporting, or administrative services required for guaranteed educational loan programs administered by the authority or in which the authority participates.

(b)(1) The authority may form one (1) or more nonprofit special purpose corporations for accomplishing the purposes set forth in this subchapter.

(2) Members of the board and officers of the authority may serve as directors of any such nonprofit corporation.

(3) Obligations issued by such nonprofit corporation shall be subject to the approvals contained in §§ 6-81-107 and 6-81-108.

(4) The authority may contract with any such nonprofit corporation, as set forth in subsection (a) of this section.

History. Acts 1977, No. 873, § 15; A.S.A. 1947, § 80-4045; Acts 1993, No. 1985, No. 429, § 8; 1985, No. 449, § 8; 1284, § 8.

CASE NOTES

Proper Party.

There is no authority for suing or serving an entity authorized to collect and service student loans with a complaint to

determine dischargeability. McElhaney v. Student Loan Servs., 142 Bankr. 311 (Bankr. E.D. Ark. 1992).

6-81-130. Annual audit.

The proceeds fund and the accounts of the Arkansas Student Loan Authority shall be audited annually by the Division of Legislative Audit of the Legislative Joint Auditing Committee.

History. Acts 1977, No. 873, § 22; A.S.A. 1947, § 80-4052; Acts 1987, No. 1985, No. 429, § 10; 1985, No. 449, § 10; 631, § 5; 1987, No. 705, § 5.

6-81-131. Administration of existing programs.

(a) The Arkansas Higher Education Coordinating Board is authorized to continue the administration of the following financial assistance programs of grants and forgivable loans which were created by its

predecessor, the State Board of Higher Education, under authority granted to it by Section 8 of Act 1259 of 1993:

- (1) Freshman/Sophomore Minority Grant Program;
 - (2) Minority Teacher Scholars Program;
 - (3) Minority Masters Fellows Program; and
 - (4) Southern Regional Education Board Doctoral Scholars Program.
- (b) The provisions of this section are contingent on the availability of funding for the programs.
- (c) The board is authorized to promulgate regulations as necessary to carry out the requirements of this section.

History. Acts 2001, No. 1607, § 1. 6-81-130 may not apply to this section which was enacted subsequently.

Publisher's Notes. References to "this subchapter" in §§ 6-81-101 through

SUBCHAPTER 2 — STUDENT LOAN GUARANTEE FOUNDATION OF ARKANSAS

SECTION.	SECTION.
6-81-201. Administration of student loan provisions of federal laws.	6-81-204. Use of funds, securities, etc.
6-81-202. Administration of funds.	6-81-205. Sale of securities.
6-81-203. Disbursing officer.	6-81-206. Annual audit.

A.C.R.C. Notes. Acts 1968 (1st Ex. Sess.), No. 27, § 2, in part, abolished the Arkansas Student Loan Board which was established pursuant to Acts 1961, No. 498, and transferred all funds in the State Treasury credited to the Student Loan Fund and all assets, both cash and securities, equities, and all outstanding loans on which the principal and interest are payable to the Arkansas Student Loan Board to the Student Loan Guarantee Foundation. Section 2 further provided that all such funds transferred to the Student Loan Guarantee Foundation under the act, and the interest earned thereon, and all moneys received from repayment of loans would be administered as trust funds to be used exclusively for the purposes provided in the act.

Acts 1968 (1st Ex. Sess.), No. 27, § 3, provided, in part, that all notes or other obligations transferred to the Student Loan Guarantee Foundation pursuant to the act as evidence of loans made by the Student Loan Board would be held by the foundation and the principal and interest thereon would be paid to the foundation subject to such penalties and other provisions as provided in Acts 1961, No. 498. Section 3 further provided that these loans would be administered and collected

by the foundation in accordance with the procedures, powers, and duties provided in Acts 1961, No. 498. Section 3 additionally provided that the foundation would make no new student loans under the provisions of Acts 1961, No. 498.

Acts 1987, No. 574, § 2, provided that all assets held by the Student Loan Guarantee Foundation of Arkansas by virtue of the transfer of assets of the Student Loan Board by Acts 1968 (1st Ex. Sess.), No. 26 shall be transmitted to the Treasurer of State within 60 days after the effective date of this Act to be deposited as special revenues into the 76th Session Transfer Fund.

Preambles. Acts 1968 (1st Ex. Sess.), No. 27, contained a preamble which read: "Whereas, Public Law 89-329, enacted by the United States Congress, commonly referred to as the 'Higher Education Act of 1965,' established a program to implement federal, state and private programs of low-interest insured loans to students in institutions of higher education; and

"Whereas, Public Law 89-287, enacted by the United States Congress, commonly referred to as 'The National Vocational Student Loan Insurance Act of 1965,' established a program of providing low in-

terest insured loans to students attending vocational-technical training schools; and

"Whereas, the Student Loan Guarantee Foundation of Arkansas, a nonprofit corporation organized under the provisions of Act 176 of 1963, was established, and designated by the Governor of the State of Arkansas, as the agency in this State to administer the student loan provisions under Public Law 89-329 and 89-287; and

"Whereas, the Student Loan Guarantee Foundation of Arkansas has been approved by the Federal Government as the appropriate agency in this State to administer such student loan guarantee programs, yet such Foundation does not presently have sufficient assets by which to establish the necessary reserves required in connection with student loans guaranteed by federal funds; and

"Whereas, the Arkansas Student Loan Board has assets which, if made available to said Foundation, would enable it to approve federal guaranteed loans to needy and deserving Arkansas students;

"Now, therefore...."

Effective Dates. Acts 1968, (1st Ex. Sess.), No. 27, § 6: Feb. 20, 1968. Emergency clause provided: "It is hereby found and determined by the General Assembly that the Student Loan Guarantee Foun-

dation of Arkansas has approved a number of federal guaranteed student loans under the provisions of Public Laws 89-329 and 89-287; that said Foundation is administering said loan program under direct authorization from the Governor of Arkansas and has been approved by the Federal Government as the agency in this State to administer such student guarantee loan program; that said Foundation is without sufficient funds to continue to provide the necessary matching reserve requirements required for guaranteeing federal student loans; that unless funds are immediately provided to said Foundation to meet such reserve requirements hundreds of deserving students in this State will be deprived of educational opportunities; and that the immediate passage of this act is necessary to provide a source of funds to said Foundation to continue to administer the federal student loan guarantee program for the benefit of deserving college and vocational-technical students of this State. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

6-81-201. Administration of student loan provisions of federal laws.

(a) The Student Loan Guarantee Foundation of Arkansas, a private nonprofit corporation organized under the laws of this state for the purposes, as stated in its articles of incorporation, "to do any and all necessary things to implement the student loan fund program as provided for in Pub. L. No. 89-329 and in such other programs of like or similar nature which may be established by the federal or state governments in the future", and which has been designated by the Governor and recognized by the federal government as the appropriate agency in this state to administer such student loan programs, is recognized and confirmed as the agency in this state to administer the student loan provisions of that United States law, or comparable laws enacted by the United States Congress, for the purpose of providing guaranteed student loans to citizens of this state attending institutions of higher learning or vocational and technical training schools.

(b)(1) The provisions of this subchapter recognize and confirm the foundation, a private nonprofit corporation, as the agency in this state to administer the student loan provisions of federal law. The foundation has been recognized as the agency in this state to administer the

student loan laws, but that fact did not result in the foundation being made an agency of this state.

(2) The foundation is not a state agency and therefore is not subject to the Arkansas Procurement Law, § 19-11-201 et seq., to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., or to other enactments of the General Assembly which are applicable to state agencies. Therefore, the foundation is not required to deposit into the State Treasury any federal funds or other funds received by it.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 1; A.S.A. 1947, § 80-4013; Acts 1987, No. 574, § 1.

U.S. Code. Public Law 89-329, re-

ferred to in this section, is known as the Higher Education Act of 1965 and is codified primarily as 20 U.S.C. § 1001 et seq.

CASE NOTES

Cited: In re Smith, 217 Bankr. 567 (Bankr. E.D. Ark. 1998).

6-81-202. Administration of funds.

(a)(1) All moneys received by the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter shall be deposited by the foundation in bank accounts in one (1) or more banks of this state, or the moneys may be placed on deposit in savings and loan associations in this state, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(2) However, the amount of the deposits in any bank or savings and loan association in this state shall not exceed the amount insured by the Federal Deposit Insurance Corporation unless the amount of all deposits in excess of the amount insured by the Federal Deposit Insurance Corporation is secured to the full amount thereof at any time remaining on hand by the deposit, under a special depository agreement with another Arkansas bank of the foundation's selection, and approved by the Chief Fiscal Officer of the State, of direct obligations of the United States or the State of Arkansas having at all times a market value of not less than the amount of the balance.

(b) The foundation shall deposit in savings accounts or certificates of deposit in such banks or savings and loan associations the maximum amount of such funds which are not otherwise required to be maintained in checking accounts to meet the obligations of the foundation under the provisions of this subchapter or applicable federal laws and regulations.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 2; A.S.A. 1947, § 80-4014.

6-81-203. Disbursing officer.

(a) The Student Loan Guarantee Foundation of Arkansas shall designate a disbursing officer who shall administer the trust funds

made available to the foundation under the provisions of this subchapter.

(b)(1) The disbursing officer shall file a surety bond of a corporate surety authorized to do business in this state with the Secretary of State and an executed counterpart thereof with the Auditor of State in such amount and form as may be provided by the Auditor of State and the Chief Fiscal Officer of the State conditioned upon the faithful administration and accounting of all funds received by the foundation in accordance with the provisions of this subchapter.

(2) The bond shall be renewed annually and proof of the renewal furnished to the Secretary of State and Auditor of State.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

6-81-204. Use of funds, securities, etc.

All of the funds, securities, equities, and assets received by the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter shall be used exclusively for the purposes of providing the state's matching reserves requirements or other obligations under Pub. L. No. 89-329, as the funds, securities, equities, and assets relate to insured loans made to students attending institutions of higher learning, and in meeting other obligations required by that federal law. None of the funds, securities, equities, or assets shall be used for maintenance, operation, or support of the foundation.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

U.S. Code. Public Law 89-329, referred to in this section, is known as the Higher Education Act of 1965 and is codified primarily as 20 U.S.C. § 1001 et seq.

6-81-205. Sale of securities.

(a) Whenever moneys made available to the Student Loan Guarantee Foundation of Arkansas under the provisions of this subchapter are insufficient to meet cash obligations of the foundation pursuant to applicable federal laws, the foundation is authorized to sell for cash any securities transferred to the foundation under the provisions of this subchapter, except the notes or other obligations received by the foundation as evidence of loans made by the Arkansas Student Loan Board.

(b) Before selling any such securities, the foundation shall notify the Chief Fiscal Officer of the State of its intent to sell the securities.

(c) The Chief Fiscal Officer of the State shall establish the procedures which the foundation shall follow with respect to the sale of any securities.

(d) The Chief Fiscal Officer of the State shall, before any sale is final, give his or her written approval thereof.

History. Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

6-81-206. Annual audit.

The Student Loan Guarantee Foundation of Arkansas is not subject to audit by the Legislative Joint Auditing Committee but shall, at least annually, contract for an audit by a certified public accountant and transmit a copy of the audit to the Legislative Joint Auditing Committee.

History. Acts 1987, No. 574, § 1.

A.C.R.C. Notes. Former § 6-81-206, which concerned annual audits, is deemed to be superseded by this section. The for-

mer section derived from Acts 1968 (1st Ex. Sess.), No. 27, § 3; A.S.A. 1947, § 80-4015.

SUBCHAPTER 3 — NURSING STUDENT LOANS

SECTION.

6-81-301 — 6-81-312. [Repealed.]

6-81-301 — 6-81-312. [Repealed.]

Publisher's Notes. This subchapter, concerning nursing student loans, was repealed by Acts 2001, No. 1692, § 4. The subchapter was derived from the following sources:

6-81-301. Acts 1977, No. 411, § 1; A.S.A. 1947, § 80-4801.

6-81-302. Acts 1977, No. 411, § 9; A.S.A. 1947, § 80-4809.

6-81-303. Acts 1977, No. 411, § 9; A.S.A. 1947, § 80-4809.

6-81-304. Acts 1977, No. 411, §§ 2, 3; A.S.A. 1947, §§ 80-4802, 80-4803.

6-81-305. Acts 1977, No. 411, § 5; A.S.A. 1947, § 80-4805.

6-81-306. Acts 1977, No. 411, §§ 3, 4; A.S.A. 1947, §§ 80-4803, 80-4804.

6-81-307. Acts 1977, No. 411, § 4; A.S.A. 1947, § 80-4804.

6-81-308. Acts 1977, No. 411, § 4; A.S.A. 1947, § 80-4804.

6-81-309. Acts 1977, No. 411, § 5; A.S.A. 1947, § 80-4805.

6-81-310. Acts 1977, No. 411, § 6; A.S.A. 1947, § 80-4806.

6-81-311. Acts 1977, No. 411, § 7; A.S.A. 1947, § 80-4807.

6-81-312. Acts 1977, No. 411, § 8; A.S.A. 1947, § 80-4808.

SUBCHAPTER 4 — UNIVERSITY OF ARKANSAS REVOLVING LOAN FUND

SECTION.

6-81-401. Creation and purpose.

6-81-402. Eligibility.

6-81-403. Board of Trustees to accept or reject applications.

6-81-404. Promissory note — Interest.

6-81-405. Maximum loan amount.

SECTION.

6-81-406. Regulations as to repayment.

6-81-407. Defenses invalid.

6-81-408. Interest added to revolving perpetual fund.

6-81-409. Disbursement of funds.

Effective Dates. Acts 1925, No. 115, § 8: effective on passage.

Acts 1993, No. 455, § 5: Mar. 11, 1993. Emergency clause provided: "It is hereby found and determined by the General As-

sembly that the current statute, "The Committee to Accept or Reject Applications," A.C.A. 6-81-403, is inadequate. Therefore in order to keep the Board of Trustees at the University of Arkansas at

Fayetteville, functioning properly, an emergency is hereby declared to exist, and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

RESEARCH REFERENCES

Ark. L. Rev. Minors Liable as Adults on Certain Contracts, 21 Ark. L. Rev. 565.

6-81-401. Creation and purpose.

A revolving loan fund of three hundred thousand dollars (\$300,000) is provided for making loans to the students of the University of Arkansas in order to assist worthy young men and women who are residents of Arkansas to pursue their studies at the university.

History. Acts 1925, No. 115, § 1; Pope's Dig., § 13174; A.S.A. 1947, § 80-2830; Acts 1991, No. 902, § 1.

6-81-402. Eligibility.

Any person who is a student in the University of Arkansas and who is a bona fide resident of this state shall be eligible to participate under the provisions of this subchapter.

History. Acts 1925, No. 115, § 2; Pope's Dig., § 13175; A.S.A. 1947, § 80-2831.

6-81-403. Board of Trustees to accept or reject applications.

The Board of Trustees of the University of Arkansas shall annually review and approve a procedure to accept or reject applications for loans from this fund.

History. Acts 1925, No. 115, § 4; Pope's Dig., § 13177; A.S.A. 1947, § 80-2833; Acts 1993, No. 455, § 1.

6-81-404. Promissory note — Interest.

The person securing a loan shall give his or her promissory note with interest to be established by the Board of Trustees of the University of Arkansas which shall be not less than four percent (4%) nor more than eight percent (8%) per annum.

History. Acts 1925, No. 115, § 3; § 1; A.S.A. 1947, § 80-2832; Acts 1991, Pope's Dig., § 13176; Acts 1955, No. 226, No. 902, § 2.

6-81-405. Maximum loan amount.

Not more than the full cost of tuition shall be loaned to any one (1) person in any one (1) academic year under the provisions of this subchapter.

History. Acts 1925, No. 115, § 3; § 1; A.S.A. 1947, § 80-2832; Acts 1991, Pope's Dig., § 13176; Acts 1955, No. 226, No. 902, § 3.

6-81-406. Regulations as to repayment.

The Board of Trustees of the University of Arkansas shall establish regulations regarding the manner and time of the repayment of the note.

History. Acts 1925, No. 115, § 4; Pope's Dig., § 13177; A.S.A. 1947, § 80-2833.

6-81-407. Defenses invalid.

The statute of limitations shall not run against notes made pursuant to this subchapter, nor shall the fact that the maker of the note may be a minor when the note is executed impair its validity.

History. Acts 1925, No. 115, § 3; Pope's Dig., § 13176; Acts 1955, No. 226, § 1; A.S.A. 1947, § 80-2832.

6-81-408. Interest added to revolving perpetual fund.

The interest on the notes when paid in shall be added to the fund and the whole sum shall be used as a revolving perpetual fund to carry out the purposes of this subchapter.

History. Acts 1925, No. 115, § 5; Pope's Dig., § 13178; A.S.A. 1947, § 80-2834.

6-81-409. Disbursement of funds.

The disbursing agent of the University of Arkansas is authorized to draw the sums referred to in this subchapter in cash from the State Treasury as they may be needed but not exceeding forty thousand dollars (\$40,000) at any one (1) time.

History. Acts 1925, No. 115, § 7; Pope's Dig., § 13179; A.S.A. 1947, § 80-2835; Acts 1991, No. 902, § 4.

SUBCHAPTER 5 — EMERGENCY SECONDARY EDUCATION LOAN PROGRAM

SECTION.

6-81-501 — 6-81-511. [Repealed.]

6-81-501 — 6-81-511. [Repealed.]

Publisher's Notes. These sections, concerning legislative purpose, establishment, program termination, administration, advisory committee, eligibility, selection of loan recipients, maximum amount, duration and cancellation of loans and expansion of program, were repealed by Acts 2003, No. 1804, § 1. They were derived from the following sources:

6-81-501. Acts 1983, No. 390, § 1; A.S.A. 1947, § 80-4057.

6-81-502. Acts 1983, No. 390, § 2; A.S.A. 1947, § 80-4058.

6-81-503. Acts 1983, No. 390, § 5; A.S.A. 1947, § 80-4061.

6-81-504. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-505. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-506. Acts 1983, No. 390, § 3; A.S.A. 1947, § 80-4059.

6-81-507. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-508. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-509. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-510. Acts 1983, No. 390, § 4; A.S.A. 1947, § 80-4060.

6-81-511. Acts 1983, No. 390, § 3; 1985, No. 509, § 1; 1985, No. 1018, § 1; A.S.A. 1947, § 80-4059.

SUBCHAPTER 6 — TEACHER AND ADMINISTRATOR ENHANCEMENT AND RETRAINING GRANT PROGRAM

SECTION.

6-81-601. Purpose.

6-81-602. Establishment.

6-81-603. Administration.

SECTION.

6-81-604. Conditions.

6-81-605. Grants — Priority.

6-81-606. Discrimination prohibited.

A.C.R.C. Notes. Acts 1987, No. 331, § 6, provided that all loan awards made under the Teacher and Administrator Enhancement and Retraining Loan Program as provided in Acts 1983, No. 109 (1st Ex. Sess.), as amended, are recognized as grants and all outstanding loan obligations under that legislation are terminated.

Publisher's Notes. Former subchapter 6, concerning Teacher and Administrator Enhancement and Retraining Loan Program, was repealed by Acts 1987, No. 331, § 7. The former subchapter was derived from the following sources:

6-81-601. Acts 1983 (Ex. Sess.), No. 109, § 1; A.S.A. 1947, § 80-1268.

6-81-602. Acts 1983 (Ex. Sess.), No. 109, § 2; A.S.A. 1947, § 80-1268.1.

6-81-603. Acts 1983 (Ex. Sess.), No. 109, § 4; A.S.A. 1947, § 80-1268.3.

6-81-604. Acts 1983 (Ex. Sess.), No. 109, § 3; A.S.A. 1947, § 80-1268.2.

6-81-605. Acts 1983 (Ex. Sess.), No. 109, § 4; A.S.A. 1947, § 80-1268.3.

6-81-606. Acts 1983 (Ex. Sess.), No. 109, § 4; 1985, No. 166, § 1; 1985, No. 230, § 1; A.S.A. 1947, § 80-1268.3.

Cross References. Personnel, § 6-17-101 et seq.

Effective Dates. Acts 1987, No. 331, § 8: Mar. 19, 1987. Emergency clause provided: "It is hereby found and determined that this program is necessary to improve the quality of instruction in the public schools in Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after the date of its passage and approval."

6-81-601. Purpose.

There is an existing need in the state to enhance the academic expertise of employed teachers and administrators in Arkansas by providing opportunities for them to pursue additional college instruction related to their employment.

History. Acts 1987, No. 331, § 1.

6-81-602. Establishment.

There is established a program to be known as the Teacher and Administrator Enhancement and Retraining Grant Program.

History. Acts 1987, No. 331, § 2.

6-81-603. Administration.

(a) This Teacher and Administrator Enhancement and Retraining Grant Program shall be administered by the Department of Higher Education, which shall have the authority to establish necessary rules, regulations, procedures, and selection criteria for the administration of the program and to designate necessary forms and schedules.

(b) The department may utilize an appropriate advisory committee to assist it in its responsibilities in this program.

History. Acts 1987, No. 331, § 5.

6-81-604. Conditions.

The Department of Higher Education may make initial and continuing grants to students under the following conditions:

(1) Grant recipients shall be bona fide residents of the State of Arkansas, as defined by the Department of Higher Education, and be citizens of the United States or permanent resident aliens;

(2) Grant recipients shall maintain current certification with the Department of Education, allowing them to be employed by the public schools in Arkansas;

(3) Grant recipients shall be currently employed as teachers or administrators in Arkansas and declare an intention to continue that employment in Arkansas;

(4) Grant recipients shall be enrolled in an eligible accredited college or university in Arkansas;

(5) Grant recipients shall be enrolled in college-level courses directly related to their employment as certified by the Director of the Department of Education; and

(6) Grant recipients shall maintain a grade point average in their college work of no less than 2.5 on a 4.0 scale or maintain an appropriate equivalent as determined by the Department of Higher Education.

History. Acts 1987, No. 331, § 3.

6-81-605. Grants — Priority.

(a) Students may receive grants up to but not in excess of the cost of student fees, books, and instructional supplies at the public institution of higher education in this state assessing the highest rate of student fees.

(b) The grant or grants made to one (1) individual within one (1) fiscal year may not exceed the costs associated with six (6) semester credit hours or the equivalent of six (6) semester credit hours.

(c) Should the number of the grant requests exceed funding available, priority will be given to those teachers or administrators who did not successfully complete tests of proficiency in basic academic skills or subject area content that teachers and administrators employed in the public schools may be required to take pursuant to state law or regulation of the State Board of Education.

History. Acts 1987, No. 331, § 3.

6-81-606. Discrimination prohibited.

This subchapter shall in no way discriminate on the basis of race, color, national origin, religion, sex, or area of teacher education.

History. Acts 1987, No. 331, § 4.

SUBCHAPTER 7 — RURAL MEDICAL PRACTICE STUDENT LOANS AND SCHOLARSHIPS

SECTION.

6-81-701. Definitions.

6-81-702. Arkansas Rural Medical Practice Student Loan and Scholarship Board.

6-81-703. Medical students — Loan applications.

6-81-704. Medical students — Investigation after application.

6-81-705. Medical students — Purpose of loan.

6-81-706. Medical students — Eligibility for initial and renewal loans.

6-81-707. Medical students — Maximum amount of loans.

6-81-708. Medical students — Loan contracts — Obligations and conditions.

6-81-709. Medical students — Disability of minority.

SECTION.

6-81-710. Medical students — Funding of loans.

6-81-711. Annual report.

6-81-712, 6-81-713. [Repealed.]

6-81-714. Appeals.

6-81-715. Medical students — Community match contract — Eligibility for initial and renewal loans.

6-81-716. Medical students — Community match contract — Obligations and conditions.

6-81-717. Medical school alternates — Community match loan.

6-81-718. Medical school alternates — Rural medical practice loans.

6-81-719. Tracking loan contract compliance.

A.C.R.C. Notes. References to "this subchapter" in §§ 6-81-701 — 6-81-718 may not apply to § 6-81-719 which was enacted subsequently.

Acts 2003, No. 828, § 1 provided: "Findings. (1)(A) The University of Arkansas College of Medicine includes nonfaculty members on the fifteen (15) member admissions committee.

"(B) The Liaison Committee for Medical Education, the accrediting body for allopathic medical schools in the United States, mandates that the admissions committee that selects applicants for admission shall be faculty members.

"(C) However, state law mandates that the fifteen (15) member College of Medicine Admissions Committee consist of both faculty and nonfaculty members, two (2) from each of the four (4) congressional districts, and one (1) member at large.

"(D) The intent of the General Assembly mandate is to provide greater committee representation from the entire state, in particular the underserved areas of Arkansas.

"(E) Each time the University of Arkansas College of Medicine is reviewed for accreditation by the Liaison Committee for Medical Education, the college is required to explain the reasons for the inclusion of nonfaculty members on the admissions committee.

"(F) The College of Medicine Admissions Committee is the only medical school admissions committee in the United States that includes nonfaculty members.

"(2)(A) Arkansas law mandates that seventy percent (70%) of the one hundred fifty (150) positions in the Freshman class each year be equally distributed among the four (4) congressional districts.

"(B) The seventy percent (70%) requirement increases the geographical distribution and number of applicants from underserved areas of the state who are accepted for admission.

"(C) The University of Arkansas College of Medicine is the only medical school in the United States that incorporates the seventy percent (70%) rule in the admissions process.

"(3)(A) Many state medical schools have programs similar to the Arkansas program whose purpose is to increase the number of physicians practicing in rural communities in the state.

"(B) Arkansas has had a program since

1949, the Arkansas Rural Medical Practice Student Loan and Scholarship Program, that provides financial incentives to medical students who contract to practice medicine in rural communities in the state.

"(C) Medical students are given substantial amounts of loans during medical school with the contractual agreement that the loans will be converted to grants or forgiven, if they complete residency training and practice medicine in an underserved rural community in the state.

"(D) However, Act 114 of 1995 created a new program, the Community Math Student Loan and Scholarship Program, which significantly modified the existing Arkansas Rural Medical Practice Student Loan and Scholarship Program.

"(E) Act 1257 of 1995 strengthened the penalties for students who default on their contractual obligation to practice medicine in the state.

"(F) However, the unique feature of Act 1114 of 1995, a specific provision that no other medical school in the United States has, is that if an alternate on the waiting list contracts with a rural community to practice primary care in that rural community, and the application is approved by the Arkansas Rural Medical Practice Student Loan and Scholarship Board that administers the program, the alternate is advanced to the top of the waiting list and this greatly enhances the applicant's chances of being admitted to medical school.

"(G) This unique feature also applies to alternates who wish to apply for the Arkansas Rural Practice Program.

"(H) Alternates who contract to practice medicine in a rural underserved community in the state, if approved by the board, are advanced on the waiting list, just below the Community Match Alternates who are approved and advanced.

"(I) Since the program's inception in 1995, the University of Arkansas College of Medicine has had approximately one hundred twenty-five (125) physicians-in-training contract to return to underserved areas of the state to practice full time primary care medicine.

"(J) Applicants from underserved areas are typically given greater considerations for participation and approval for the rural loan and scholarship programs."

Publisher's Notes. Acts 1971, No. 133, § 10; Acts 1971, No. 533, § 10; and Acts 1972 (Ex. Sess.), No. 62, § 2, provided that no provisions of those acts would impair any loan obligation then outstanding and not repaid or otherwise satisfied which had been entered into pursuant to the provisions of Acts 1949, No. 131, as amended, but the obligation was to remain due and payable and subject to satisfaction all in accordance with the terms of the prior legislation.

Preambles. Acts 1949, No. 131 contained a preamble which read: "Whereas, the number of doctors within the State of Arkansas are not adequate enough to meet the constant demand of the people of this state and;

"Whereas, there are many rural communities within the State of Arkansas without medical care, it is the purpose of this Act to increase the number of doctors by financing those medical students who need such aid in order to complete their education..."

Effective Dates. Acts 1971, Nos. 133, 533, § 13; Feb. 22, 1971 and Apr. 5, 1971, respectively. Emergency clauses provided: "It has been found and determined by the General Assembly that there is a pressing and immediate need for additional physicians in the rural areas of Arkansas; that this Act has as its purpose the furnishing of financial assistance to medical students attending medical school in Arkansas who have the intent and desire to engage in rural community practice in Arkansas and will so obligate themselves; and that it is necessary in order to protect the lives, the health and the general welfare of citizens of Arkansas that additional physicians reside and practice in such areas. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 1972 (Ex. Sess.), No. 62, § 5: Mar. 6, 1972. Emergency clause provided: "It has been found and determined by the Sixty-Eighth General Assembly meeting in Extraordinary Session that there is a pressing and immediate need for additional physicians in the rural areas of Arkansas; that this Act has as its purpose the furnishing of financial assistance to medical students attending medical school in Arkansas who have the intent

and desire to engage in rural community practice in Arkansas and will so obligate themselves; and that it is necessary in order to protect the lives, the health and the general welfare of citizens of Arkansas that additional physicians reside and practice in such areas. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval."

Acts 1981, No. 47, § 5: Feb. 11, 1981. Emergency clause provided: "It is hereby found and determined by the Seventy-Third General Assembly that the definition of rural community under the Rural Medical Practice Student Loan Scholarship Program is limited to communities with no more than six thousand (6,000) persons; that due to the increase in population in recent years this definition is too restrictive, and that this Act is immediately necessary to expand such definition and thereby provide increased medical services for rural Arkansas. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1985, No. 797, § 3: Apr. 3, 1985. Emergency clause provided: "It is hereby found and determined by the General Assembly that the definition of rural community as used in the Rural Medical Student Loan and Scholarship Act has been misconstrued; that it is the intention of this Act to redefine the term "rural community" for the purposes of that Act and to make it applicable to persons who have in the past or now practice medicine in such rural communities; that some doctors have been denied the cancellation of their loans due to the misinterpretation of the law; and that this Act is immediately necessary to provide an equitable remedy to such persons. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1991, No. 359, § 7: Mar. 5, 1991. Emergency clause provided: "It is found and determined by the General Assembly that the Arkansas Rural Medical Practice

Student Loan and Scholarship Program should be revised for the purpose of strengthening the program; that the definition of rural community as used in the Rural Medical Student Loan and Scholarship Act should be expanded to include a community which meets the definition at the time the loan recipient is required to enter into the practice of medicine in the community; that revision of the definition is necessary to provide encouragement for physicians to practice in rural communities; and that the change in the definition should be applied retroactively to loan contracts entered into prior to the effective date of the act in order to encourage more loan recipients to practice full time in such rural communities. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1995, No. 1114, § 10: Apr. 10, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly that there is a pressing and immediate need for additional physicians in rural areas of Arkansas; that this act has as its purposes the furnishing of financial assistance to medical students attending the University of Arkansas College of Medicine who have the interest

and desire to engage in rural community practice in Arkansas and will so obligate themselves. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-81-701. Definitions.

For purposes of this subchapter:

(1) "Board" means the Arkansas Rural Medical Practice Student Loan and Scholarship Board;

(2) "Primary care medicine" means health care provided in one (1) of the following areas of practice:

- (A) Family medicine;
- (B) General internal medicine;
- (C) General internal medicine and pediatrics;
- (D) General pediatrics;
- (E) General obstetrics and gynecology; and
- (F) General surgery; and

(3) "Rural community" means a community within a health professions shortage area, as determined by the board, or a community having a population of no more than fifteen thousand (15,000) persons according to the most recent federal census taken prior to the execution of the loan contract or the most recent federal census taken prior to the

time the recipient of the loan or loans shall be required to practice full time in such rural community as provided in § 6-81-708.

History. Acts 1949, No. 131, § 9; 1955, No. 69, § 2; 1963, No. 181, § 1; 1971, No. 133, § 7; 1971, No. 533, § 7; 1972 (Ex. Sess.), No. 62, § 1; 1981, No. 47, § 2; 1983, No. 649, § 1; 1985, No. 797, § 1; A.S.A. 1947, § 80-2916; Acts 1987, No. 151, § 3; 1991, No. 359, § 2; 1995, No. 1114, § 1; 1995, No. 1257, § 1; 2003, No. 676, § 1.

A.C.R.C. Notes. Acts 1991, No. 359, § 3, provided that the amendments to this section by that act were to be applied retroactively to loan contracts entered into prior to March 5, 1991.

Acts 1995, No. 1257, § 4 provided "The provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan prior to the 1995-96 school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons."

Publisher's Notes. Acts 1995, No. 1114 took effect April 10, 1995.

Acts 1995, No. 1257 took effect July 28, 1995.

Amendments. The 2003 amendment added (3)(F) and made related changes.

CASE NOTES

Applicability.

This section was not meant to operate retrospectively. Arkansas Rural Medical

Practice Student Loan & Scholarship Bd. v. Luter, 292 Ark. 259, 729 S.W.2d 402 (1987).

6-81-702. Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(a)(1) There is established the Arkansas Rural Medical Practice Student Loan and Scholarship Board composed of:

(A) The Dean of the College of Medicine of the University of Arkansas for Medical Sciences as chair;

(B) The President of the Arkansas Medical Association as vice chair;

(C) The Chancellor for Health Sciences of the University of Arkansas for Medical Sciences;

(D) One (1) representative of the College of Medicine of the University of Arkansas for Medical Sciences, named by the dean of that school; and

(E) Two (2) physicians named by the President of the Arkansas Medical Association.

(2) Vacancies shall be filled in a similar manner.

(b) The board shall:

(1) Promulgate reasonable rules and regulations as may be necessary to execute the provisions of this subchapter, including regulations addressing the requirements:

(A) For a health professions shortage area; and

(B) To become a qualified rural community eligible to participate in the Community Match Loan and Scholarship Program;

(2) Prescribe forms for and regulate the submission of applications for financial assistance;

(3) Determine eligibility of applicants;

(4) Allow or disallow applications for financial assistance;

(5) Contract, increase, decrease, terminate, and otherwise regulate all grants for this purpose, receipt for their repayment, and convert loans to scholarships;

(6) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;

(7) Accept gifts, grants, bequests, or devises and apply them as a part of this program;

(8) Sue and be sued as the board; and

(9) Accept moneys from federal programs which may be used for furtherance of the purposes of this subchapter.

(c) The members of the board may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

History. Acts 1949, No. 131, §§ 1-3; 1971, No. 133, §§ 1-3; 1971, No. 533, §§ 1-3; A.S.A. 1947, §§ 80-2908 — 80-2910; Acts 1987, No. 151, § 1; 1995, No. 1114, § 2; 1997, No. 250, § 40.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-703. Medical students — Loan applications.

Any student accepted for admission to or enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine who is a bona fide resident of Arkansas may apply for a loan under this subchapter on forms prescribed by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

History. Acts 1949, No. 131, § 4; 1971, No. 133, § 4; 1971, No. 533, § 4; A.S.A. 1947, § 80-2911.

the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

Publisher's Notes. As to the effect of

6-81-704. Medical students — Investigation after application.

When a loan application is filed with the Arkansas Rural Medical Practice Student Loan and Scholarship Board, the board shall examine the application, investigate the ability, character, and qualifications of the applicant, and investigate the financial standing of the applicant or his or her parents to determine whether the applicant is in need of a loan to advance his or her medical education.

History. Acts 1949, No. 131, § 5; A.S.A. 1947, § 80-2912.

6-81-705. Medical students — Purpose of loan.

The loans provided for in this subchapter shall be made for the sole purpose of paying the applicant's tuition, maintenance, and educational expenses and the necessary living expenses of his or her dependents while the applicant is enrolled in a program of medical education as described in this subchapter.

History. Acts 1949, No. 131, § 7; 1971, No. 133, § 6; 1971, No. 533, § 6; 1981, No. 47, § 1; A.S.A. 1947, § 80-2914.

Publisher's Notes. As to the effect of

the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-706. Medical students — Eligibility for initial and renewal loans.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board may make rural medical practice loans to the applicant, each rural medical practice loan being expressly made subject to the provisions of §§ 6-81-708(d) and 6-81-710, if it finds that:

(1) The applicant is a bona fide resident of Arkansas;

(2) The applicant has been accepted for admission to or is enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine;

(3) The applicant is enrolled in a medically underserved and rural practice curriculum;

(4) The applicant needs financial assistance to complete his or her medical studies;

(5) The applicant desires to practice medicine in an eligible qualifying rural community as determined by the board; and

(6) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies.

(b) Subject to the availability of funds, an initial rural medical practice loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6-81-707, but all subsequent rural medical practice loans shall be granted only upon application by the recipient and a finding by the board that:

(1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum;

(3) The applicant continues to be a resident of Arkansas; and

(4) The applicant's financial situation continues to warrant financial assistance made under the conditions of this section.

History. Acts 1949, No. 131, § 6; 1955, No. 69, § 1; 1971, No. 133, § 5; 1971, No. 533, § 5; A.S.A. 1947, § 80-2913; Acts 1987, No. 151, § 2; 1995, No. 1114, § 3.

A.C.R.C. Notes. As amended by Acts 1995, No. 1114, § 3, subdivision (a)(3) began: "The applicant, beginning with the 1995-96 school year."

As amended by Acts 1995, No. 1114, § 3, subdivision (b)(2) began: "That, beginning with the 1995-96 school year."

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-707. Medical students — Maximum amount of loans.

The maximum amount of each rural practice loan shall not exceed twelve thousand dollars (\$12,000) per academic year or those costs which are reasonable and necessary for the student's attendance as determined by the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

History. Acts 1949, No. 131, § 7; 1971, No. 133, § 6; 1971, No. 533, § 6; 1981, No. 47, § 1; A.S.A. 1947, § 80-2914; Acts 1989, No. 22, § 1.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-708. Medical students — Loan contracts — Obligations and conditions.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall enter into a loan contract with the applicant to whom a rural medical practice loan is made.

(b) The contract shall be approved by the Attorney General and shall be signed by the chair of the board, countersigned by the vice chair, and signed by the applicant.

(c) Section 6-81-701 and this section shall not apply to loans made after May 1, 1987, by the board.

(d) Each applicant to whom a rural medical practice loan or loans shall be granted by the board after May 1, 1991, shall execute a written loan contract which shall incorporate the following obligations and conditions:

(1)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that he or she shall practice medicine full time in a rural community upon completion of:

(i) His or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine; or

(ii) Four (4) additional years of medical training beyond the internship if the training has been approved in advance by the board and includes practice experience in a rural community.

(B) The recipient of a rural medical practice loan or loans shall bindingly contract that, for each year's loan, he or she shall practice medicine in accordance with subdivision (d)(1)(A) of this section for a whole calendar year.

(C) For each continuous whole calendar year of medical practice, in accordance with subdivision (d)(1)(A) of this section, the board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan plus accrued interest.

(2)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that not engaging in the practice of medicine in accordance with the loan contract and with this section shall result in automatic suspension of his or her license to practice medicine in this state.

(B) The suspension shall be for a period of years equivalent to the number of years that the recipient is obligated to practice medicine in a rural area, and the suspension shall continue until the loan, with interest thereon, is paid in full.

(3) Any communication from the College of Medicine of the University of Arkansas for Medical Sciences with any state medical licensing board shall include a notation that the recipient of a rural medical practice loan has a contract with the State of Arkansas to practice medicine in a rural community and that breach of that contract will result in automatic suspension of the recipient's Arkansas medical license.

(4)(A) In the event that any rural medical practice loan recipient under this subchapter does not engage in the practice of medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) No interest shall accrue nor obligation to repay the principal sums accrued during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces.

(C) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled in a medically underserved and rural practice curriculum;

(ii) Failure to remain in enrollment status continuously to completion of the degree of doctor of medicine for any reason other than temporary personal illness;

(iii) Failure to complete internship;

(iv)(a) Failure to practice medicine on a regularly sustained basis while residing in a rural community in Arkansas as defined in § 6-81-701.

(b) Provided, however, the board may waive the residency requirement on a case-by-case basis; and

(v) Failure to establish such a practice within six (6) months following either internship or four (4) additional years of medical education that include practice experience in a rural community beyond his or her internship where approved by the board.

(D) In the event of the death of the recipient, all loans unpaid shall be due and payable.

(e) The board may amend agreements entered into with any student who is currently enrolled as a medical student or an intern or resident who has not completed his or her postdoctoral training as approved by the board pursuant to § 6-81-701 et seq.

(f)(1) A rural medical practice loan recipient may apply to the Dean of the College of Medicine of the University of Arkansas for Medical

Sciences for a waiver of the contractual provisions set forth in subdivision (d)(2) of this section.

(2)(A) If the dean, as chair of the board, and the Director of the Department of Health agree that exigent circumstances warrant a waiver, the loan recipient shall be notified in writing that his or her license to practice medicine shall be automatically reinstated.

(B) The dean and the director shall immediately notify the Arkansas State Medical Board of such determination.

History. Acts 1949, No. 131, §§ 8, 9; 1955, No. 69, § 2; 1963, No. 181, § 1; 1971, No. 133, § 7; 1971, No. 533, § 7; 1972 (Ex. Sess.), No. 62, § 1; 1981, No. 47, § 2; 1983, No. 649, § 1; 1985, No. 797, § 1; A.S.A. 1947, §§ 80-2915, 80-2916; Acts 1987, No. 151, §§ 3, 4; 1989, No. 22, § 2; 1991, No. 359, § 1; 1995, No. 1114, § 4; 1995, No. 1257, § 2; 2003, No. 676, §§ 2, 3.

A.C.R.C. Notes. Acts 1989, No. 823, § 1, provided: "It is hereby found and determined by the General Assembly that Act 649 of 1983 amended the Arkansas law pertaining to the Arkansas Rural Medical Practice Student Loan and Scholarship Board by specifically providing that for the portion of any loan granted that had not been repaid or canceled by July 1, 1983, the recipient of such loan would not be required to reside in the rural community in which he or she practices as a condition for converting the loan into a scholarship grant but that the person shall be required to meet other requirements of Act 649 of 1983. Despite the clear language of Act 649 of 1983, the Arkansas Rural Medical Practice Student Loan and Scholarship Board has continued to attempt to enforce the residency requirement on persons who received loans before the effective date of Act 649 of 1983. Therefore, it is the purpose of this section to remove all doubt that the state has relinquished its right to enforce the residency requirement for those persons covered under Section 9(1)(C) of Act 131 of 1949, as amended by Act 649 of 1983.

"The State of Arkansas hereby waives all rights of the State and of the Arkansas Rural Medical Practice Student Loan and Scholarship Board to enforce the requirement in loans granted before July 1, 1983 that a person reside in the rural community in which he or she practices as a condition for converting a loan received from the Arkansas Rural Medical Practice

Student Loan and Scholarship Board into a scholarship grant."

Pursuant to § 1-2-207, this section is set out above as amended by Acts 1995, No. 1257. Subsections (d) and (e) were also amended by Acts 1995, No. 1114, § 4, to read as follows:

"(d) Each applicant to whom a rural medical practice loan or loans shall be granted by the board after May 1, 1991, shall execute a written loan contract which shall incorporate the following obligations and conditions:

"(1)(A) The recipient of a rural medical practice loan or loans shall bindingly contract that upon completion of his or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine, or upon completion of three (3) additional years of medical training beyond the internship, if the training has been approved in advance by the board, he or she shall practice medicine full-time in a rural community.

"(B) For each continuous whole calendar year of medical practice in accordance with subdivision (d)(1)(A) of this section, the board shall cancel, by converting to a scholarship grant, the full amount of one year's loan plus accrued interest.

"(2)(A) In the event that any rural medical practice loan recipient under this subchapter does not engage in the practice of medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest thereon, at the maximum rate allowed by Arkansas law, or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

"(B) No interest shall accrue, nor obli-

gation to repay the principal sums accrued during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces.

“(C) Repayment of principal, with interest, shall be due and payable in full at the earliest to occur of the following events:

“(i) Failure, beginning with the 1995-96 school year, to remain enrolled in a medically underserved and rural practice curriculum;

“(ii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Medicine for any reason other than temporary personal illness;

“(iii) Failure to complete internship;

“(iv) Failure to practice medicine on a regularly sustained basis while residing in a rural community in Arkansas, as defined in § 6-81-701, provided however, that the board may waive the residency requirement on a case-by-case basis; and

“(v) Failure to establish such practice within six (6) months unless otherwise deferred by approval of the board, following either internship or three (3) additional years of medical education continuously beyond his or her internship where approved by the board.

“(D) In the event of the death of the recipient, all loans unpaid shall be due and payable.

“(e) The board may amend agreements entered into with any student who is currently enrolled as a medical student or an intern or resident who has not completed his or her postdoctoral training as approved by the board pursuant to § 6-81-701 et seq.”

As amended by Acts 1995, No. 1257, § 2, subdivision (d)(4)(C)(i) began: “Failure, beginning with the 1995-96 school year.”

Acts 1995, No. 1257, § 4 provided: “The provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan prior to the 1995-96 school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons.”

Publisher's Notes. Acts 1981, No. 47, § 3, authorized the board to amend agreements with any currently enrolled medical students, interns, or residents who had not completed post-doctoral training as approved by the board pursuant to the provisions of Acts 1971, No. 533, as amended by the 1981 act.

As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

Amendments. The 2003 amendment rewrote (d)(1)(A); and in (d)(4)(C)(v), substituted “four (4)” for “three (3)”; and made minor stylistic changes.

CASE NOTES

Applicability.

This section was not meant to operate retrospectively. Arkansas Rural Medical

Practice Student Loan & Scholarship Bd. v. Luter, 292 Ark. 259, 729 S.W.2d 402 (1987).

6-81-709. Medical students — Disability of minority.

The disability of minority of all applicants granted loans under this subchapter to contract is removed for the purpose of this subchapter.

History. Acts 1949, No. 131, § 10; A.S.A. 1947, § 80-2917.

6-81-710. Medical students — Funding of loans.

(a)(1) All payments for loans under this subchapter shall be made on requisitions signed by the Chair of the Arkansas Rural Medical Practice Student Loan and Scholarship Board drawn against the funds held for the purpose of this subchapter.

(2) These funds, consisting of state appropriations so designated, revolving amounts received from repayment of loans and interest, and all funds and property, and income therefrom, received by the board under its authority to accept and apply gifts, bequests, and devises shall be held in trust and disbursed by the fiscal officers of the University of Arkansas for Medical Sciences for the aforesaid purposes.

(b) When collected, damages awarded pursuant to §§ 6-81-716 — 6-81-718 shall be held in trust for the use of the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the Community Match Loan and Scholarship Program and disbursed by the fiscal officer of the University of Arkansas for Medical Sciences pursuant to this subchapter.

History. Acts 1949, No. 131, § 11; 1971, No. 133, § 8; 1971, No. 533, § 8; A.S.A. 1947, § 80-2918; Acts 1995, No. 1114, § 5.

Publisher's Notes. As to the effect of the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-711. Annual report.

(a) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall make an annual report to the Governor concerning the activities of the board and shall file a copy of its report with the Legislative Council.

(b)(1) This report shall include:

(A) The names of the recipients of the loans;

(B) The amount of each loan;

(C) An accounting of the funds granted, on hand, and expended for necessary expenses;

(D) The total amount of funds received during the year from gifts, federal grants, bequests, and devises; and

(E) The amount of loans which, during the year, become scholarships through compliance with the conditions of the loan contracts.

(2) This report shall include the names and addresses, and amount of loans to each person, of those recipients who are in default of repayment obligations.

History. Acts 1949, No. 131, § 12; 1971, No. 133, § 9; 1971, No. 533, § 9; A.S.A. 1947, § 80-2919.

Publisher's Notes. As to the effect of

the 1971 and 1972 amendments upon outstanding loan obligations, see Publisher's Notes to this subchapter.

6-81-712, 6-81-713. [Repealed.]

Publisher's Notes. These sections, concerning nursing students' financial assistance, were repealed by Acts 1995, No. 911, § 2. The sections were derived from the following sources:

6-81-712. Acts 1973, No. 751, § 1; A.S.A. 1947, § 80-2919.1.

6-81-713. Acts 1973, No. 751, § 3; A.S.A. 1947, § 80-2919.2.

For present law, see § 6-81-1201 et seq.

6-81-714. Appeals.

Any applicant for a loan issued by the Arkansas Rural Medical Practice Student Loan and Scholarship Board and any person who has been granted a loan by the board may appeal any decision or action relating to the application for a loan or relating to a loan granted by the board. An appeal from any decision or action of the board or of the Director of Student Aid of the University of Arkansas for Medical Sciences may be made at any time to the President of the University of Arkansas, except that the president may designate the General Counsel for the University of Arkansas to serve as the officer to hear such appeals.

History. Acts 1989, No. 823, § 2.

6-81-715. Medical students — Community match contract — Eligibility for initial and renewal loans.

(a)(1) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall administer the Community Match Loan and Scholarship Program.

(2)(A) Interested rural communities may apply to the board to participate in the program as a qualified rural community.

(B) The board shall approve a designated representative or representatives of the qualified rural community to assist the board in matters relating to any community match contracts entered into by the board and the qualified rural community.

(b) The board, in conjunction with a qualified rural community, may make community match loans to applicants, each loan being expressly made subject to the provisions of § 6-81-716, if it finds that:

(1) The applicant is a bona fide resident of Arkansas;

(2) The applicant has been accepted for admission to or is enrolled in good standing in the College of Medicine of the University of Arkansas for Medical Sciences in studies leading to the degree of Doctor of Medicine;

(3) The applicant is enrolled in a medically underserved and rural practice curriculum;

(4) The applicant desires to practice primary care medicine in the qualified rural community;

(5) The applicant is a person of good moral character and one who has the talent and capacity to profit by medical studies; and

(6) The designated representative or representatives of the qualified rural community approve the applicant.

(c) Subject to the availability of funds, an initial community match loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed the maximum amounts specified in § 6-81-716, but all subsequent loans shall be granted only upon application by the recipient and a finding by the board that:

(1) The applicant has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(2) The applicant is enrolled or participating in a medically underserved and rural practice curriculum; and

(3) The applicant continues to be a resident of Arkansas.

History. Acts 1995, No. 1114, § 6.

ning with the 1995-96 school year."

A.C.R.C. Notes. As enacted, subdivision (b)(3) began: "The applicant, begin-

As enacted, subdivision (c)(2) began: "Beginning with the 1995-96 school year."

6-81-716. Medical students — Community match contract — Obligations and conditions.

(a)(1) The maximum amount of each community match loan shall not exceed sixteen thousand five hundred dollars (\$16,500) per academic year.

(2)(A) The Arkansas Rural Medical Practice Student Loan and Scholarship Board shall provide one-half ($\frac{1}{2}$) of the community match loan, and the qualified rural community shall provide the other one-half ($\frac{1}{2}$) of the loan.

(B) Provided, however, that in the event the board does not have sufficient funds to match the community's portion of the loan, nothing shall preclude a qualified rural community from providing the total loan amount.

(b)(1) The board and the qualified rural community shall enter a joint loan contract with the applicant to whom a loan is made.

(2) The community match contract shall be approved by the Attorney General and shall be signed by the chair of the board, the vice chair of the board, the designated representative or representatives of the qualified rural community, and the applicant.

(c) Each applicant to whom a community match loan or loans is granted by the board shall execute a written loan contract which shall incorporate the following obligations and conditions:

(1)(A) The recipient of a community match loan or loans shall bindingly contract that, upon completion of his or her medical internship of one (1) year undertaken immediately following the earning of the degree of Doctor of Medicine, or upon completion of three (3) additional years of medical training beyond the internship, if the training has been approved in advance by the board, he or she shall practice primary care medicine full time in the contracting qualified rural community.

(B) For each continuous whole calendar year of primary care medical practice in accordance with subdivision (c)(1)(A) of this section, the board and the qualified rural community shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan plus accrued interest.

(2)(A) In the event that any loan recipient withdraws from the Community Match Loan and Scholarship Program while enrolled as

a medical student at the College of Medicine of the University of Arkansas for Medical Sciences, the recipient shall be obligated to repay the community match loan or loans received, together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) Repayment of principal, with interest, under subdivision (c)(2)(A) of this section, shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled in the medically underserved and rural practice curriculum; or

(ii) Withdrawal from the program; or

(iii) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Medicine for any reason other than temporary personal illness.

(3)(A) In the event that any loan recipient from the program under this section does not engage in the practice of primary care medicine in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall be obligated to repay the loan or loans received, together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) Repayment of principal with interest and liquidated damages under subdivision (c)(3)(A) of this section shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to complete internship;

(ii) Failure to practice primary care medicine on a regularly sustained basis while residing in the contracting qualified rural community in Arkansas. Provided, however, the board, in conjunction with the qualified rural community, may waive the residency requirement on a case-by-case basis; and

(iii) Failure to establish a primary care practice within six (6) months unless otherwise deferred by approval of the board following either internship or four (4) additional years of medical education continuously beyond his or her internship where approved by the board.

(C) In addition, because of the hardship placed upon the rural community as a result of a breach of contract by the loan recipient and the difficulty in ascertaining or determining damages arising out of a breach of contract by the loan recipient, the loan contract shall provide for liquidated damages in an amount equal to fifty percent (50%) of the principal of the loan, which shall not preclude the board and the qualified rural community from asserting other legal rights as a result of the breach of contract.

(4) No interest shall accrue, nor obligation to repay the principal sums accrued, during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces.

(5) In the event of the death of the recipient, all loans unpaid shall be due and payable.

History. Acts 1995, No. 1114, § 6; 2003, No. 676, § 4.

A.C.R.C. Notes. As enacted, subdivision (c)(2)(B)(i) began: "Failure, beginning

with the 1995-96 school year."

Amendments. The 2003 amendment, in (c)(3)(B)(iii), substituted "four (4)" for "three (3)."

6-81-717. Medical school alternates — Community match loan.

(a)(1)(A) If an alternate on the waiting list for acceptance to the College of Medicine of the University of Arkansas for Medical Sciences enters into a community match contract conditioned only upon the applicant's being accepted for admission to the college and otherwise meets the requirements of § 6-81-715, the applicant shall be moved to the top of the waiting list upon entering into the contract.

(B) Provided, however, if two (2) or more alternates enter into a community match contract, as between or among them, their priorities for admission shall be determined according to their ranking on the waiting list as alternates.

(2) The college shall make available on the alternate list as many positions as necessary for alternates who enter into community match contracts.

(b) The college shall meet the requirements set forth in § 6-64-406 for allocation of enrollment positions for medical students among congressional districts before accepting for admission an alternate who has entered into a community match contract with the Arkansas Rural Medical Practice Student Loan and Scholarship Board and a qualified rural community.

(c) Each community match contract made with an alternate shall be subject to the provisions of § 6-81-716, except that, if the alternate is admitted to the college under the Community Match Loan and Scholarship Program and the individual breaches his or her contract by withdrawing from the program during medical school or by failing to engage in the practice of primary care medicine in the contracting qualified rural community in accordance with the terms of his or her loan contract in order to have the loan contract recognized as a scholarship, damages shall include an amount equal to one hundred percent (100%) of the loan amount and other unspecified damages, with the minimum amount of damages being equal to the difference between resident and out-of-state tuition at the college for four (4) years of medical school, but no less than twenty-five thousand dollars (\$25,000).

History. Acts 1995, No. 1114, § 6.

6-81-718. Medical school alternates — Rural medical practice loans.

(a)(1)(A) If an alternate on the waiting list for acceptance to the College of Medicine of the University of Arkansas for Medical Sciences demonstrates a willingness to enter into a rural medical practice loan contract and meets the requirements of § 6-81-706, the applicant shall be moved to the top of the waiting list to a position just below alternates entering into community match contracts upon entering into a rural medical practice loan contract.

(B) The priority on the waiting list for those alternates who enter into a rural medical practice loan contract shall be determined by the date and time such alternate enters into the rural medical practice loan contract.

(2) The college shall designate up to ten (10) positions on the alternate list per year for alternates who enter into rural medical practice loan contracts.

(b) The college shall meet the requirements set forth at § 6-64-406 for allocation of enrollment positions for medical students among congressional districts before accepting for admission an alternate who has entered into a rural medical practice loan contract with the Arkansas Rural Medical Practice Student Loan and Scholarship Board.

(c) Each rural medical practice loan made to an alternate shall be subject to the provisions of § 6-81-708, except that:

(1) An alternate entering a rural medical practice loan contract shall be guaranteed participation in the program for four (4) years of medical school provided that he or she continues to meet the eligibility requirements for renewal of a loan set forth in § 6-81-706(b).

(2) The alternate shall bindingly contract to practice primary medical care in a rural community for four (4) years; and

(3) If the alternate is admitted to the college under the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the individual breaches his or her contract by withdrawing from the program during medical school or by failing to engage in the practice of medicine in accordance with the terms of his or her loan contract in order to have the loan contract recognized as a scholarship, damages shall include moneys in an amount equal to the difference between resident and out-of-state tuition at the college for four (4) years of medical school and other unspecified damages, with the minimum amount of damages no less than twenty-five thousand dollars (\$25,000).

History. Acts 1995, No. 1114, § 6.

6-81-719. Tracking loan contract compliance.

The College of Medicine of the University of Arkansas for Medical Sciences shall track graduates who were recipients of rural medical practice loans for the length of their contractual obligations and shall report to the Legislative Council by October 1 of each even-numbered

year regarding the compliance of those graduates with the terms of their contracts.

History. Acts 1995, No. 1257, § 5.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-81-701 — 6-81-718 may not apply to this section which was enacted subsequently.

Acts 1995, No. 1257, § 4 provided: “The

provisions of this act shall not apply to any person entering a Rural Medical Practice Student Loan prior to the 1995-96 school year or to any subsequent Rural Medical Practice Student Loan contracts entered into by those persons.”

SUBCHAPTER 8 — MINORITY TEACHER EDUCATION LOAN PROGRAM

SECTION.
6-81-801 — 6-81-810. [Repealed.]

6-81-801 — 6-81-810. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Minority Teacher Education Loan Program, was repealed by Acts 2001, No. 1692, § 13. The subchapter was derived from the following sources:

6-81-801. Acts 1989, No. 144, § 1.
6-81-802. Acts 1989, No. 144, § 1.
6-81-803. Acts 1989, No. 144, § 1.

6-81-804. Acts 1989, No. 144, § 1.
6-81-805. Acts 1989, No. 144, § 1.
6-81-806. Acts 1989, No. 144, § 1.
6-81-807. Acts 1989, No. 144, § 1.
6-81-808. Acts 1989, No. 144, § 1.
6-81-809. Acts 1989, No. 144, § 1.
6-81-810. Acts 1989, No. 144, § 1.

SUBCHAPTER 9 — FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE TEACHER LOAN PROGRAM

SECTION.
6-81-901 — 6-81-910. [Repealed.]

6-81-901 — 6-81-910. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Freshman/Sophomore Minority Prospective Teacher Loan Program, was repealed by Acts 2001, No. 1692, § 14. The subchapter was derived from the following sources:

6-81-901. Acts 1989, No. 145, § 1.
6-81-902. Acts 1989, No. 145, § 1.

6-81-903. Acts 1989, No. 145, § 1.
6-81-904. Acts 1989, No. 145, § 1.
6-81-905. Acts 1989, No. 145, § 1.
6-81-906. Acts 1989, No. 145, § 1.
6-81-907. Acts 1989, No. 145, § 1.
6-81-908. Acts 1989, No. 145, § 1.
6-81-909. Acts 1989, No. 145, § 1.
6-81-910. Acts 1989, No. 145, § 1.

SUBCHAPTER 10 — GRANT PROGRAM FOR NURSE MIDWIFE STUDENTS

SECTION.
6-81-1001 — 6-81-1006. [Repealed.]

6-81-1001 — 6-81-1006. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Grant Program for Nurse Midwife Students, was repealed by Acts

2001, No. 1692, § 5. The subchapter was derived from the following sources:
6-81-1001. Acts 1989, No. 240, § 2.

6-81-1002. Acts 1989, No. 240, § 1.

6-81-1003. Acts 1989, No. 240, § 6.

6-81-1004. Acts 1989, No. 240, § 3.

6-81-1005. Acts 1989, No. 240, § 4.

6-81-1006. Acts 1989, No. 240, § 5.

SUBCHAPTER 11 — FINANCING POST-SECONDARY OUT-OF-STATE EDUCATION

SECTION.

6-81-1101. Tuition assistance for certain professional schools.

6-81-1102. [Repealed.]

6-81-1103. Repayment of out-of-state tuition paid by the State of Arkansas.

SECTION.

6-81-1104. Applicability.

Cross References. Financial assistance to students, § 6-81-101 et seq.

Southern Regional Education Compact, § 6-4-101 et seq.

Effective Dates. Acts 1993, No. 1259, § 18: July 1, 1993. Emergency clause provided: "It is hereby found and determined by the Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1993 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1993 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation

of the public peace, health and safety shall be in full force and effect from and after July 1, 1993."

Acts 1997, No. 923, § 8: July 1, 1997. Emergency clause provided: "It is found and determined by the General Assembly that there is an urgent need to change the program offering annual tuition support for Arkansas students attending out-of-state schools in dentistry, optometry, veterinary medicine, podiatry, osteopathy, and chiropractic as one providing grants instead of loans, and that in the event of an extension of the Regular session, any delay in the effective date of this act beyond July 1, 1997, could work irreparable harm upon the proper administration and provision of such program. Therefore an emergency is declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-81-1101. Tuition assistance for certain professional schools.

(a) The Department of Higher Education shall institute a program of making grants for the benefit of Arkansas residents to assist in paying tuition for attending certain accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy located outside the State of Arkansas but within the United States.

(b) In addition to the Southern Regional Education Compact Program for which the Arkansas Higher Education Coordinating Board serves as agent for the state and for which the department serves as disbursing agent pursuant to §§ 6-4-104 — 6-4-107, the board is authorized to enter into direct contracts with selected accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy which do not participate in the program if the board determines that the needs of the state are not being met by institutions participating in the program.

(c) For purposes of this section:

(1) "Grant" means a payment of tuition money made in accordance with this section to assist a qualified grantee in attending participating accredited schools of dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy located outside the State of Arkansas;

(2) "Participating institution" or "participating school" means a professional or graduate school that:

(A) Is located outside the State of Arkansas but within the United States;

(B) Offers a full-time course of instruction in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy;

(C) Is accredited by an accrediting entity acceptable to the applicable licensing board of the profession;

(D) After completion of such course of instruction, grants a degree acceptable to the applicable licensing board as the sole requirement or as one (1) requirement for the board's granting of a professional license; and

(E) Is a party to a currently effective written agreement between the participating institution and the department or the Board of Control for Southern Regional Education; and

(3) "Qualified grantee" means a student who:

(A) Is a resident of the State of Arkansas;

(B) Has been accepted for enrollment at or is attending a participating accredited school of dentistry, optometry, veterinary medicine, podiatry, osteopathy, or chiropractic located outside the State of Arkansas; and

(C) Has been certified under § 6-4-106 by the department as qualified to participate in the grant program authorized by this section and consistent with § 6-4-106.

(d)(1) For participating schools that charge different annual tuition amounts for in-state students and out-of-state students, the amount of the grant will be the difference between the in-state tuition and the out-of-state tuition. However, should the differential exceed the contract price approved for similar programs by the board of control in accordance with § 6-4-105(c), the lower amount will be paid.

(2) For participating schools which charge the same amount of annual tuition for in-state and out-of-state students and such annual tuition is extraordinary as determined by the department, the amount shall not be less than five thousand dollars (\$5,000) per student.

(e)(1) The program shall be administered by the department.

(2) The grants shall be made upon such terms and conditions as are prescribed by the department.

(3) The department shall promulgate such rules and regulations as are necessary to implement the provisions of this section.

(f)(1) The department will allocate, based upon funds appropriated, the number of eligible grant recipients to receive funds at each participating institution for each applicable academic period.

(2) Each participating institution will select eligible grant recipients for each applicable academic period. In the event that the number of

eligible students accepted for enrollment at such participating institution exceeds the number of eligible grant recipients for whom funds have been allocated by the department from funds appropriated, such participating institution shall have sole discretion in selecting the eligible students to designate as eligible grant recipients.

(3) The department shall make grants according to the allocations made by the department and selections made by the participating institutions. The department shall have no obligation to make any grants except to the extent that funds have been appropriated and funded for the program.

History. Acts 1993, No. 1259, § 6; 1997, No. 923, § 1; 1999, No. 1218, § 7.

Amendments. The 1999 amendment rewrote (a); inserted (b) and (c) and redesignated the remaining subsections accordingly; deleted former (d); in present (d)(1), inserted "participating" and "of the grant"

and added "however, should the differential ...lower amount will be paid"; inserted "participating" preceding "schools" in present (d)(2); substituted "department" for "Arkansas Student Loan Authority" in (e)(1)-(e)(3); added (f); and made stylistic changes.

6-81-1102. [Repealed.]

Publisher's Notes. This section, concerning deferred repayment, was repealed by Acts 1997, No. 923, § 2. The section

was derived from Acts 1993, No. 1259, § 11.

6-81-1103. Repayment of out-of-state tuition paid by the State of Arkansas.

(a) The Department of Higher Education may provide loans from the Budget Stabilization Trust Fund in excess of the Southern Regional Education Board grant funds to dental students enrolled in professional programs outside the state for whom any part of the out-of-state tuition is paid by the State of Arkansas if the tuition paid to the out-of-state institution exceeds the board-contracted rate.

(b) The amount of the loans in excess of the board grant funds may be the amount of the out-of-state tuition paid by the student, but the amount of the loan may not exceed the amount by which the tuition exceeds the rate established by the board.

(c) The loans shall be made on an annual basis not to exceed the combined total of four (4) years.

(d) The loans may be forgiven at the rate of one (1) year's loan for one (1) year's practice in Arkansas.

(e) Repayment of the loan may be deferred but for no longer than five (5) years, for the following reasons:

(1) Military service;

(2) Specialty training; or

(3) Extraordinary circumstances as determined by the department.

(f) The loans shall be made at a rate of interest determined by the department but not to exceed four percent (4%).

History. Acts 2003, No. 1715, § 1.

6-81-1104. Applicability.

The provisions of § 6-81-1103 shall not apply to Southern Regional Education Board grant funds.

History. Acts 2003, No. 1715, § 2.

SUBCHAPTER 12 — GRADUATE NURSING PRACTICE AND NURSE EDUCATOR STUDENT LOANS AND SCHOLARSHIPS

SECTION.

6-81-1201. Definitions.

6-81-1202. Graduate Nurse Educator Loan and Scholarship Board.

6-81-1203. Graduate nursing students — Eligibility for rural advanced nursing practice and nurse educator loans.

SECTION.

6-81-1204. Graduate nursing students — Rural advanced nursing practice or nurse educator loan contracts — Obligations and conditions.

6-81-1205 — 6-81-1208. [Repealed.]

6-81-1209. Effect of subchapter.

Effective Dates. Acts 1995, No. 911, § 6: Apr. 5, 1995. Emergency clause provided: "It is hereby found and determined by the Eightieth General Assembly that there is a pressing and immediate need for additional nurse practitioners in rural areas of Arkansas; that this act has as its purposes the furnishing of financial assistance to those willing to commit to rural practice. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1997, No. 250, § 258: Feb. 24, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 1211 of 1995 established the procedure for all state boards

and commissions to follow regarding reimbursement of expenses and stipends for board members; that this act amends various sections of the Arkansas Code which are in conflict with the Act 1211 of 1995; and that until this cleanup act becomes effective conflicting laws will exist. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor [sic], it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-81-1201. Definitions.

As used in this subchapter:

(1) "Arkansas Department of Public Health" means any of Arkansas' public health units;

(2) "Arkansas school of nursing" means any school or school's department of nursing located in Arkansas;

(3) "Board" means the Graduate Nurse Educator Loan and Scholarship Board;

(4) “Master’s or doctoral nursing education program” means Arkansas nursing education programs located in an Arkansas public or private institution of higher education that has a master’s nursing program accredited by a recognized national nursing accreditation organization or a Doctor of Philosophy in nursing program accredited by the North Central Association of Colleges and Secondary Schools;

(5) “Nurse educator” means a student enrolled in an Arkansas master’s nursing education program or doctoral nursing education program who will prepare to teach nursing in an Arkansas school of nursing;

(6)(A) “Primary care nursing” means advanced nursing care provided in one (1) of the following areas of practice:

- (i) Family practice nursing;
- (ii) Pediatric nursing;
- (iii) Women’s health nursing;
- (iv) Nurse midwifery;
- (v) Gerontology nursing; and
- (vi) Adult nursing.

(B) Primary care nursing occurs in the context of the community and is characterized by long-term, close relationships between the practitioner and patient in which the primary care provider treats common and episodic illness but refers more complex problems to specialists; and

(7) “Rural community” means a community within a health professions shortage area, as determined by the board, or a community having a population of no more than fifteen thousand (15,000) persons according to the most recent federal census taken prior to the execution of the loan contract or the most recent federal census taken prior to the time the recipient of the loan or loans shall be required to practice full time in such a rural community as provided in §§ 6-81-1204 and 6-81-1206 [repealed].

History. Acts 1995, No. 911, § 1; 1999, No. 1311, § 1; 2001, No. 787, § 1.

Amendments. The 1999 amendment inserted “and Nurse Educator” in (2); inserted (1) and (3) and redesignated the

remaining subdivisions accordingly; and made stylistic changes.

The 2001 amendment rewrote this section.

6-81-1202. Graduate Nurse Educator Loan and Scholarship Board.

(a) There is established the Graduate Nurse Educator Loan and Scholarship Board composed of:

(1) The dean, chair, or director of each of the accredited graduate nursing programs in the state that offers a nurse practitioner specialty in primary care or preparation for nurse educators at the master’s or doctoral levels;

(2) The President of the Council of Nurse Administrators of Nursing Education Programs in Arkansas;

(3) The President of the Arkansas State Board of Nursing;

(4) The Director of the Department of Health or the director's designee; and

(5) One (1) consumer, to be appointed by the Governor.

(b) The board shall:

(1) Promulgate reasonable rules and regulations as may be necessary to execute the provisions of this subchapter, including regulations addressing:

(A) The requirements for a health professions shortage area;

(B) The requirements for an Arkansas school of nursing;

(C) The requirements for a community having a population of no more than fifteen thousand (15,000) persons according to the most recent census;

(D) The requirements of the Department of Health;

(E) The establishment of a minimum scholastic standing which a baccalaureate or master's nursing graduate must have achieved and the academic or scholastic standing a student must maintain in an accredited school of nursing in this state as a condition of receiving scholarship funds or financial aid under the provisions of § 6-81-1208 [repealed];

(F) The establishment of standards for a determination of the financial needs of the applicant for scholarship funds or financial aid under § 6-81-1208 [repealed], including the ability of the applicant or the spouse or the parents or guardian of such applicant to furnish a part of the funds necessary to pay the expenses of the applicant while attending a school of nursing; and

(G) All matters relating directly to the agreement for providing these scholarship funds or financial aid, including the terms and conditions of providing financial aid to the student and relating to the obligation of the recipient of financial aid to engage in the nursing profession in a rural community or as a nurse educator in an Arkansas school of nursing;

(2) Prescribe forms for and regulate the submission of applications for financial assistance;

(3) Determine eligibility of applicants;

(4) Allow or disallow applications for financial assistance;

(5) Contract, increase, decrease, terminate, and otherwise regulate all grants for this purpose and receipt for their repayment and convert loans to scholarships;

(6) Manage, operate, and control all funds and property appropriated or otherwise contributed for this purpose;

(7) Accept gifts, grants, and bequests or devises and apply them as a part of this program;

(8) Sue and be sued as the board; and

(9) Accept moneys from federal programs which may be used for furtherance of the purposes of this subchapter.

(c) The members of the board may receive expense reimbursement in accordance with § 25-16-901 et seq.

History. Acts 1995, No. 911, § 1; 1997, No. 250, § 41; 1999, No. 1311, § 2; 2001, No. 787, § 2.

Amendments. The 1999 amendment inserted "and Nurse Educator" in the introductory paragraph of (a); added "or preparation for nurse educators" to the end of (a)(1); inserted "or the director's designee" in (a)(4); inserted (b)(1)(B) and redesignated the remaining subdivisions accordingly; added "or as a nurse educator in an Arkansas school of nursing" to the end of (b)(1)(F); and made stylistic changes.

The 2001 amendment substituted "Graduate Nurse Educator Loan and Scholarship Board" for "Arkansas Pri-

mary Care Nursing Practice and Nurse Educator Student Loan and Scholarship Board" in the introductory language of (a); inserted "at the master's or doctoral level" in (a)(1); deleted "in higher education" at the end of (b)(1)(B); substituted "for a community...recent census" for "to become a qualified rural community eligible to participate in the Advanced Nursing Practice Community Match Loan and Scholarship Program" in (b)(1)(C); inserted (b)(1)(D) and redesignated the remaining subdivisions accordingly; substituted "baccalaureate or master's nursing graduate" for "high school graduate" in (b)(1)(E); and substituted "and bequests or devises" for "bequests, or devises" in (b)(7).

6-81-1203. Graduate nursing students — Eligibility for rural advanced nursing practice and nurse educator loans.

(a) The Graduate Nurse Educator Loan and Scholarship Board may make rural advanced nursing practice or nurse educator loans to an applicant, each rural advanced nursing practice or nurse educator loan being expressly made subject to the provisions of § 6-81-1204 if it finds that:

- (1) The applicant is a bona fide resident of Arkansas;
- (2) The applicant has been accepted for admission to or is enrolled in good standing in an accredited master's nurse educator, master's nurse practitioner, or Doctor of Philosophy in Nursing program in the state leading to a graduate degree in nursing;
- (3) The applicant is or will be a full-time graduate nursing student or a part-time student who is employed full time in an Arkansas school of nursing;
- (4) The applicant needs financial assistance to complete his or her nursing studies;
- (5) The applicant desires to practice primary care nursing in a rural community or teach nursing in an Arkansas school of nursing; and
- (6) The applicant is a person of good moral character and one who has the talent and capacity to profit by graduate nursing studies.

(b)(1) Subject to the availability of funds, an initial rural advanced nursing practice or nurse educator loan for one (1) academic year shall be renewable annually for the number of years required to complete studies leading to a master's in nursing or Doctor of Philosophy in Nursing degree, not to exceed the maximum amount specified in § 6-81-1204.

(2) All subsequent rural advanced nursing practice or nurse educator loans shall be granted only upon application by the recipient and a finding by the board that:

- (A) The applicant has completed successfully the advanced nursing studies of the preceding academic year and remains in good

standing as an enrolled student in an accredited master's program or a Doctor of Philosophy in Nursing program in the state;

(B) The applicant continues to be a resident of Arkansas; and

(C) The applicant's financial situation continues to warrant financial assistance made under the conditions of this section.

History. Acts 1995, No. 911, § 1; 1999, No. 1311, § 3; 2001, No. 787, § 3.

Publisher's Notes. Acts 2001, No. 787, § 3, did not accurately engross the amendments to § 6-81-1203(a)(2). The changes in subdivision (a)(2) set out above reflect the legislative intent of Acts 2001, No. 787, § 3.

Amendments. The 1999 amendment inserted "or nurse educator" throughout this section; inserted "or teach nursing in an Arkansas school of nursing" in (a)(5); and made minor punctuation changes.

The 2001 amendment substituted "Arkansas Primary Care ...Scholarship Board" for "board" in (a); substituted

"master's nurse educator, master's nurse practitioner, or Doctor of Philosophy in Nursing program" for "graduate primary care nurse practitioner or nurse educator program" in (a)(2); added "or a part-time ... school of nursing" in (a)(3); substituted "graduate" for "advanced" in (a)(6); substituted "a master's in nursing ... degree not" for "a graduate degree in nursing, or additional amounts not" in (b)(1); inserted "or nurse educator" in (b)(2); and, in (b)(2)(A), deleted "full-time" following "as an enrolled," and substituted "master's program ...the state" for "graduate primary care nurse practitioner or nurse educator program in the state."

6-81-1204. Graduate nursing students — Rural advanced nursing practice or nurse educator loan contracts — Obligations and conditions.

(a)(1)(A) The maximum amount of each master's rural advanced nursing practice or nurse educator loan for full-time applicants shall not exceed eight thousand dollars (\$8,000) per academic year.

(B) The maximum amount of each Doctor of Philosophy in nursing loan for full-time applicants shall not exceed twenty thousand dollars (\$20,000) per academic year.

(C) Loans for part-time applicants shall be prorated as determined by the Graduate Nurse Educator Loan and Scholarship Board.

(2)(A) The maximum number of years a master's recipient may receive funding shall not exceed two (2) years or four (4) regular academic semesters of full-time enrollment or four (4) years or eight (8) regular academic semesters of part-time enrollment.

(B) The maximum number of years a doctoral recipient may receive funding shall not exceed four (4) years or eight (8) regular academic semesters of full-time enrollment or six (6) years or twelve (12) regular academic semesters of part-time enrollment.

(b)(1) The board shall enter a loan contract with the applicant to whom a rural advanced nursing practice or nurse educator loan is made.

(2) The rural advanced nursing practice or nurse educator loan contract shall be approved by the Attorney General and shall be signed by the chair of the board and the applicant.

(c) Each applicant to whom a rural advanced nursing practice or nurse educator loan or loans is granted by the board shall execute a

written loan contract which shall incorporate the following obligations and conditions:

(1)(A) The recipient of a rural advanced nursing practice or nurse educator loan or loans shall bindingly contract that, upon completion of his or her graduate degree in nursing and upon national certification as a nurse practitioner in the case of recipients of a rural advanced nursing practice loan, he or she shall practice as an advanced practitioner full time in an Arkansas rural community or the Department of Health. In the case of the nurse educator recipient, he or she shall teach full time during the academic year in an Arkansas school of nursing.

(B) For each continuous whole calendar year of advanced primary care nursing practice or academic calendar year for teaching in accordance with subdivision (c)(1)(A) of this section, the board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan, plus accrued interest; and

(2)(A) In the event that any rural advanced nursing practice or nurse educator loan recipient under this subchapter does not engage in the practice of advanced practice nursing or teach in an Arkansas school of nursing in accordance with the terms of this section and of his or her loan contract in order to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received together with interest thereon at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(B) No interest shall accrue nor obligation to repay the principal sums accrued during any one (1) period of time that the recipient involuntarily serves on active duty in the United States armed forces.

(C) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(i) Failure to remain enrolled continuously and in good academic standing to completion of a graduate nursing degree for any reason other than temporary personal illness;

(ii) Failure to practice as an advanced nurse practitioner on a regularly sustained basis while residing in an Arkansas rural community or working in an Arkansas Department of Public Health unit, as defined in § 6-81-1201, or to serve as a nursing faculty in an Arkansas school of nursing. Provided, however, that the board may waive the residency requirement on a case-by-case basis; or

(iii) Failure to establish a primary care nursing practice within six (6) months following graduation from an accredited graduate nursing program or within six (6) months after receiving national certification, whichever is later, or failure to assume a nurse faculty position in an Arkansas school of nursing within six (6) months following graduation, unless otherwise deferred by approval of the board.

(D) In the event of the death of the recipient, all loans unpaid shall be due and payable.

(d) The board may amend agreements entered into with any student who is currently enrolled as a graduate nursing student as approved by the board pursuant to this section.

History. Acts 1995, No. 911, § 1; 1999, No. 1311, § 4; 2001, No. 787, § 4.

Amendments. The 1999 amendment inserted “or nurse educator” throughout this section; in (c)(1)(A), inserted “in the case of recipients of a rural advanced nursing practice loan” and added the last sentence; inserted “or academic calendar year for teaching” in (c)(1)(B); inserted “for those receiving the rural advanced nursing practice loan” in (c)(2)(C)(ii); inserted “or serve as a nursing faculty in an Arkansas school of nursing” in (c)(2)(C)(iii); inserted “or failure to assume a nurse faculty position in an Arkansas school of nursing within six (6) months following graduation” in (c)(2)(C)(iv); and made stylistic changes.

The 2001 amendment rewrote this section.

6-81-1205 — 6-81-1208. [Repealed.]

Publisher's Notes. These sections, concerning the advanced nursing student loans, were repealed by Acts 2001, No. 787, § 5. The sections were derived from the following sources:

6-81-1205. Acts 1995, No. 911, § 1.
6-81-1206. Acts 1995, No. 911, § 1.
6-81-1207. Acts 1995, No. 911, § 1.
6-81-1208. Acts 1995, No. 911, § 1.

6-81-1209. Effect of subchapter.

Nothing in this subchapter shall be construed as establishing minimal requirements for schools of nursing or otherwise affecting the powers and duties of the Arkansas State Board of Nursing regarding schools of nursing.

History. Acts 1999, No. 1311, § 5; 2001, No. 787, § 6.

SUBCHAPTER 13 — UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM

SECTION.

6-81-1301. Program established — Purpose — Administration.

6-81-1301. Program established — Purpose — Administration.

(a) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the Department of Higher Education.

(b) The purpose of the program shall be to attract qualified teachers to the Delta and those geographical areas of the state where there exists a critical shortage of teachers by making available scholarships to persons working toward a Master of Education degree at an institution of higher learning whose teacher education program is approved by the Arkansas Higher Education Coordinating Board.

(c)(1) Any institution of higher education in the State of Arkansas which offers a Master of Education degree may apply to the Department of Higher Education for participation in the program.

(2) Under the program, participating institutions shall collaborate with the Department of Education to identify, recruit, and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the Department of Education.

(d)(1) The Department of Higher Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree at participating institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education.

(2) The financial scholarship shall be two thousand dollars (\$2,000) per year.

(e) As a condition for approval to participate in the program, the institution of higher education shall agree to classify teachers who relocate within Arkansas from out of state in order to participate in the program as residents of the state for tuition purposes.

(f)(1) Students awarded financial scholarships under the program may receive the awards for a maximum of four (4) school years.

(2) The maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree.

(g) Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(h)(1) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, to participate in the program shall be eligible for reimbursement from the State Board of Education for all or part of their moving expenses to the critical teacher-shortage area.

(2) The Department of Higher Education shall promulgate rules and regulations necessary for the administration of the relocation expense reimbursement component of the program.

(i) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(j) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates participation in the program.

(k) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree.

(l)(1)(A) Students receiving an award from the program shall execute a note made payable to the Department of Higher Education for an amount equal to the award each semester that shall bear interest at the rate of ten percent (10%) per year beginning September 1 after completion of the program or immediately after termination of the student's participation in the program, whichever is earlier.

(B) Students in the program who receive reimbursement for moving expenses under subsection (h) of this section shall execute a note made payable to the Department of Education for an amount equal to the reimbursement that shall bear interest at the rate of ten percent (10%) per year.

(2) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all awards made to that person less the corresponding amount of any awards for which service has been rendered.

(3) Any person failing to complete his or her teaching obligation, as required under subsection (k) of this section, shall begin repaying the notes according to the notes' terms for the sum of all awards made to that person less the corresponding amount of any awards for which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(4) After the period of the deferral, the person shall begin or resume teaching duties as required under subsection (k) of this section or shall become liable on the note under subsection (l) of this section. If a claim for payment of a note is placed into the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(5) The obligations made by the recipient of a program award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

(m) All funds received by the Department of Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited in the fund that provides funding for the program.

(n) The Department of Higher Education shall promulgate rules and regulations necessary for the proper administration of the program.

(o) The requirements of this section are contingent on the funding available for the program.

(p) The Department of Higher Education is authorized to determine the necessary procedures for the awarding of grants should the number of eligible applicants and recipients exceed the funds available.

History. Acts 2001, No. 1550, § 1.

SUBCHAPTER 14 — NURSING STUDENT LOAN PROGRAM

SECTION.

- 6-81-1401. Nursing Student Loan Revolving Fund.
- 6-81-1402. Program established — Administration.
- 6-81-1403. Arkansas State Board of Nursing — Powers and duties.
- 6-81-1404. Eligibility and requirements for loans.
- 6-81-1405. Amount of loans — Maximum.

SECTION.

- 6-81-1406. Term of loans.
- 6-81-1407. Renewal.
- 6-81-1408. Written contract required.
- 6-81-1409. Cancellation of principal and interest.
- 6-81-1410. Borrower's loss of good standing — Acceleration of due date.
- 6-81-1411. Repayment — Interest.
- 6-81-1412. Rules and regulations.

Effective Dates. Acts 2003, No. 84, § 14: Feb. 10, 2003. Emergency clause provided: "It is found and determined by the General Assembly, that to provide funds for Nursing Student Scholarships to help alleviate the nursing shortage crises and provide a mechanism for existing funds to be used to educate competent Nurses are necessary; that Nurses provide critical services to the citizens of the State and the shortage of qualified Nurses can cause irreparable damage to the community. Therefore, an emergency is

hereby declared to exist and this Act being necessary for the immediate preservation, health and safety for the citizens of Arkansas and shall be in full force and effect from and after the date of its passage and approval. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

6-81-1401. Nursing Student Loan Revolving Fund.

There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the Nursing Student Loan Revolving Fund. This fund shall consist of funds appropriated for the Nursing Student Loan Program, federal funds, gifts, grants, bequests, devises, donations, and general revenues, there to be used by the Arkansas State Board of Nursing for making loans for nursing scholarships.

History. Acts 2003, No. 84, § 2.

6-81-1402. Program established — Administration.

There is established a Nursing Student Loan Program, to be administered by the Arkansas State Board of Nursing in accordance with the provisions of this subchapter.

History. Acts 2003, No. 84, § 3.

6-81-1403. Arkansas State Board of Nursing — Powers and duties.

- (a) The Arkansas State Board of Nursing shall:
 - (1) Prescribe forms to be used in the Nursing Student Loan Program;
 - (2) Regulate the submission of applications for loans;
 - (3) Determine eligibility of applicants;
 - (4) Allow or disallow applications for financial assistance;
 - (5) Contract for, increase, decrease, terminate, and otherwise regulate all loans made under this subchapter and the repayment of these loans;
 - (6) Forgive loans and portions of loans as provided for; and
 - (7) Manage, operate, and control all funds and property appropriated or otherwise contributed for purposes of funding this program.
- (b) The board is authorized to accept gifts, grants, bequests, devises, donations, and any federal funds available for this purpose and to deposit any funds so received in the Nursing Student Loan Revolving Fund, to be used together with funds appropriated for the program for making loans under the provisions of this subchapter.

History. Acts 2003, No. 84, § 5.

6-81-1404. Eligibility and requirements for loans.

- (a) Any person who is enrolled in or has been accepted for admission to an approved school of nursing in this state or a nationally accredited school outside the state in a course of study leading to qualification as a registered nurse or licensed practical nurse shall be eligible to make application to the Arkansas State Board of Nursing for a loan under the provisions of this subchapter.
- (b) The board may, depending upon available funds, make a loan to an applicant under the provisions of this subchapter when it determines that the applicant:
 - (1) Is enrolled in or has been accepted for admission to an approved school of nursing in this state or a nationally accredited school outside the state in studies leading to qualification as a registered nurse or licensed practical nurse;
 - (2) Is in need of financial assistance to complete his or her nursing studies;
 - (3) Expresses an intention to engage in practice as a registered nurse or licensed practical nurse in the State of Arkansas upon graduation and licensure; and
 - (4) Is a citizen of Arkansas.

History. Acts 2003, No. 84, § 6.

6-81-1405. Amount of loans — Maximum.

(a) The Arkansas State Board of Nursing may make a loan to any applicant in an amount calculated to pay the applicant's tuition, maintenance, and other education expenses while he or she is enrolled in a program of nursing education as described in this subchapter.

(b) The total of the loans made to any one (1) student under this subchapter shall not exceed six thousand dollars (\$6,000).

History. Acts 2003, No. 84, § 8.

6-81-1406. Term of loans.

Each loan made to an applicant under this subchapter shall be for one (1) academic year.

History. Acts 2003, No. 84, § 9.

6-81-1407. Renewal.

(a) Subject to the availability of funds, each loan made to an applicant under this subchapter shall be renewable annually for the number of years required to complete studies leading to qualification as a registered nurse or licensed practical nurse.

(b) Any loan made to an applicant subsequent to an initial loan shall be made only upon application of the recipient and upon finding by the Arkansas State Board of Nursing that:

(1) The applicant has successfully completed the nursing studies of the preceding academic year and remains in good standing as an enrolled student in the appropriate school of nursing;

(2) The financial situation of the applicant warrants the making of a loan under the provisions of this subchapter;

(3) The applicant shall agree to practice nursing in Arkansas for the period specified in the loan contract; and

(4) The applicant continues to be a resident of Arkansas.

History. Acts 2003, No. 84, § 10.

6-81-1408. Written contract required.

Each recipient of a loan under the provisions of this subchapter shall execute a written loan contract with the Arkansas State Board of Nursing for the repayment of the loan under such terms as are provided in this subchapter and as the board shall prescribe.

History. Acts 2003, No. 84, § 7.

6-81-1409. Cancellation of principal and interest.

Each loan contract shall include a provision that if the recipient completes his or her nursing education and qualification as a registered nurse or licensed practical nurse, the Arkansas State Board of Nursing

shall, for each year that the recipient practices in this state, cancel the full amount of one (1) year's loan, plus accrued interest, under the provisions of this subchapter.

History. Acts 2003, No. 84, § 11.

6-81-1410. Borrower's loss of good standing — Acceleration of due date.

If the recipient of the loan under this subchapter ceases to be enrolled in good standing in a recognized school of nursing prior to completion of the education requirements to qualify as a registered nurse or licensed practical nurse, all loans made under this subchapter to the person and the interest thereon shall become due and payable immediately or as may be otherwise provided in the contract for the loans.

History. Acts 2003, No. 84, § 13.

6-81-1411. Repayment — Interest.

(a) Any recipient of a loan under this subchapter who upon completion of his or her education does not engage in the practice of nursing in this state or does not continue practice in accordance with the provisions of this subchapter shall be obligated to repay the loans received under the provisions of this subchapter in accordance with the provisions of the loan contracts, together with interest at the maximum allowed by Arkansas law. The interest shall accrue from the date each payment of funds was received by the recipient.

(b) No interest shall accrue nor any obligation to repay the principal sums during any period of the time that the recipient involuntarily serves on active duty in the United States armed forces.

(c) In the event of the death of the recipient, all loans unpaid shall be due and payable.

(d) It shall be considered unprofessional conduct to fail to repay a loan as specified in this section.

History. Acts 2003, No. 84, § 12.

6-81-1412. Rules and regulations.

The Arkansas State Board of Nursing shall adopt such reasonable rules and regulations not inconsistent with this subchapter as it deems necessary to effectively and efficiently carry out the purposes of this subchapter.

History. Acts 2003, No. 84, § 4.

SUBCHAPTER 15 — STATE TEACHER ASSISTANCE RESOURCE PROGRAM

SECTION.

6-81-1501. Title.

6-81-1502. Definitions.

6-81-1503. Creation — Purpose.

6-81-1504. Administration of and authority of the Department of Higher Education.

SECTION.

6-81-1505. Eligibility.

6-81-1506. Duration — Amount — Re-payment.

6-81-1507. State Teacher Assistance Resource Commission.

6-81-1501. Title.

This subchapter shall be known and may be cited as the “State Teacher Assistance Resource Program”.

History. Acts 2003, No. 1804, § 2.

6-81-1502. Definitions.

For purposes of this subchapter:

(1) “Five-year teacher education program” means a program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and is designed for completion in five (5) years with an award of a master’s degree in education; and

(2) “Four-year teacher education program” means a program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and is designed for completion in four (4) years with an award of a baccalaureate degree in education.

History. Acts 2003, No. 1804, § 2.

6-81-1503. Creation — Purpose.

(a) There is created the State Teacher Assistance Resource Program.

(b) While in college, the state teacher assistance resource should be exposed to a range of extracurricular activities geared toward instilling a strong motivation not only to remain in teaching but also to provide leadership for tomorrow’s schools.

History. Acts 2003, No. 1804, § 2.

6-81-1504. Administration of and authority of the Department of Higher Education.

(a) The State Teacher Assistance Resource Program shall be administered by the Department of Higher Education.

(b) The department shall adopt standards for awarding the forgivable loans to ensure that only students in their junior year and senior year who are admitted to a teacher education program with the best potential for success receive a forgivable loan.

(c) The department shall administer the State Teacher Assistance Resource Program in cooperation with teacher training institutions selected by the department.

(d)(1) The requirements of this subchapter are contingent on the funding available for the State Teacher Assistance Resource Program.

(2) The department may use funds appropriated for the Emergency Secondary Education Loan Program, § 6-81-501 et seq. [repealed], and other available funds to fund the State Teacher Assistance Resource Program.

(e) The department may determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and recipients exceed the funds available, but priority consideration shall be given based on.

History. Acts 2003, No. 1804, § 2.

Publisher's Notes. Section 6-81-501 et seq., concerning the Emergency Sec-

ondary Education Loan Program, was repealed by Acts 2003, No. 1804, § 1.

6-81-1505. Eligibility.

A student entering his or her junior or senior year and admitted to a teacher education program shall be eligible to receive a forgivable loan under the State Teacher Assistance Resource Program if:

(1) The recipient earns a cumulative grade point average of 2.75 or above on a 4.0 scale at an approved institution;

(2) The recipient has completed a total of at least twenty-seven (27) hours during the first full academic year and a total of at least thirty (30) hours per academic year thereafter;

(3) The student is entering the junior year and has taken the standardized rising junior test provided for in § 6-61-114; and

(4) The recipient meets any other continuing eligibility criteria established by the Department of Higher Education.

History. Acts 2003, No. 1804, § 2.

6-81-1506. Duration — Amount — Repayment.

(a)(1) The State Teacher Assistance Resource Program shall be used to provide:

(A) A two-year forgivable loan if the recipient is in a four-year teacher education program, or a three-year forgivable loan if the recipient is in a five-year teacher education program, in the amount of three thousand dollars (\$3,000) per year for a junior or senior admitted to a teacher education program who commits to teach in a public school located in a geographical area of the state designated as having a critical shortage of teachers or in a subject matter area designated as having a critical shortage of teachers;

(B) A two-year forgivable loan if the recipient is in a four-year teacher education program, or a three-year forgivable loan if the recipient is in a five-year teacher education program, in the amount

of six thousand dollars (\$6,000) per year for a junior or senior admitted to a teacher education program who commits to teach in a public school located in a geographical area of the state designated as having a shortage of critical teachers and in a subject matter area designated as having a critical shortage of teachers;

(C) A loan repayment for federal student loans in the amount of three thousand dollars (\$3,000) per year for each year a certified teacher who graduated from a teacher education program after April 2004 teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers; or

(D) A loan repayment for federal student loans in the amount of six thousand dollars (\$6,000) per year for each year a certified teacher who graduated from a teacher education program after April 2004 teaches in a public school located in a geographical area of the state designated as having a critical shortage of teachers and in a subject matter designated as having a critical shortage of teachers.

(2) No person receiving a forgivable loan under subdivisions (a)(1)(A) or (B) of this section shall be eligible to receive a loan repayment under subdivisions (a)(1)(C) or (D) of this section.

(b)(1) A student may receive a State Teacher Assistance Resource Program and Arkansas Academic Challenge Scholarship and Arkansas Governor's Distinguished Scholarship to the extent the receipt of both awards does not violate the provisions of § 6-80-105.

(2) For the purpose of compliance with § 6-80-105, the forgivable loans under this program shall be considered public funds.

(3) No student may participate in more than one (1) forgivable loan program supported with state money.

(c) Loan recipients shall execute a note made payable to the Department of Higher Education that shall bear interest at the rate to be determined by the department at the time of the award to begin accruing on September 1 after completion of the program or immediately after termination of the forgivable loan, whichever is earlier.

(d) The forgivable loan may be terminated if:

(1) The recipient withdraws from school;

(2) The recipient does not meet the standards set by the department; or

(3) For other reasons as designated by the department.

(e)(1) Within nine (9) months after completion of the teacher education program, the recipient of a forgivable loan under the State Teacher Assistance Resource Program shall begin to teach in a public school in the state in accordance with the student's initial commitment or shall begin to repay the loan in accordance with the terms of a note executed under subsection (c) of this section.

(2) The department shall forgive one (1) year of the loan for each consecutive year the recipient teaches full time in a shortage area in accordance with the terms of the recipient's initial commitment beginning nine (9) months from the date of graduation.

(3) The department may grant loan repayment deferrals to students who enrolled in masters or doctoral programs after completion of a

four-year or five-year teacher education program or for other just cause as determined by the department.

(4) The department may also forgive the loan if it finds that it is impossible for the recipient to teach in an Arkansas public school as required because of the death or permanent disability of the recipient.

(f) Loan recipients required to repay loans as provided in subsection (e) of this section who fail to meet their repayment obligations may have added to their total obligation any costs for collection of the debt and shall have their teaching license in Arkansas revoked by the State Board of Education.

(g)(1) All funds appropriated to or otherwise received by the State Teacher Assistance Resource Program for forgivable loans, all funds received as repayment of forgivable loans, and all interest earned on these funds shall be placed in a revolving fund.

(2) This revolving fund shall be used for forgivable loans granted under the State Teacher Assistance Resource Program.

(h)(1) The department, as administrator for the State Teacher Assistance Resource Program, may use up to fifty thousand dollars (\$50,000) annually from the fund balance for costs associated with administration of the State Teacher Assistance Resource Program.

(2) These funds are in addition to funds required for collection costs related to loan repayments.

(i) Any recipient of an emergency secondary education loan, § 6-81-501 et seq. [repealed], may qualify for a forgivable loan under the State Teacher Assistance Resource Program and shall continue to fulfill any existing obligation under the terms of any loans received under the Emergency Secondary Education Loan Program, § 6-81-501 et seq. [repealed].

(j) The department shall promulgate regulations necessary for the implementation of the State Teacher Assistance Resource Program.

History. Acts 2003, No. 1804, § 2.

Emergency Secondary Education Loan Program, was re-

Publisher's Notes. Section 6-81-501 et seq., concerning the Emergency Sec-

pealed by Acts 2003, No. 1804, § 1.

6-81-1507. State Teacher Assistance Resource Commission.

(a) There is established a commission to be known as the State Teacher Assistance Resource Commission.

(b) The commission shall consist of eleven (11) members as follows:

(1) The Lieutenant Governor, or his or her designee;

(2) The chair of the State Board of Education, or his or her designee;

(3) Three (3) persons appointed by the Governor;

(4) Three (3) persons appointed by the President Pro Tempore of the Senate; and

(5) Three (3) persons appointed by the Speaker of the House of Representatives.

(c) The appointed commission members shall be:

(1) Individuals who have demonstrated a commitment to education; and

(2) Residents of the State of Arkansas at the time of appointment and throughout their terms.

(d) Appointments are for a term of four (4) years.

(e)(1) If, for any reason, a vacancy occurs in an appointed position, the vacancy shall be filled by appointment by the official that made the appointment.

(2) The new appointee shall serve for the remainder of the unexpired term.

(f) The Lieutenant Governor or his or her designee shall serve as chair.

(g)(1) The commission shall meet at times and places the chair deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) A majority of the members of the commission shall constitute a quorum for the purpose of transacting business.

(3) All action of the commission shall be by a majority vote of the full membership of the commission.

(h) The commission shall:

(1) Promote the State Teacher Assistance Resource Program and encourage participation by high school students; and

(2) Select the recipients of the State Teacher Assistance Resource forgivable loans.

(i)(1) The Department of Higher Education shall provide staff and office space to the commission.

(2)(A) Members of the commission shall serve without pay.

(B) Members of the commission may receive expense reimbursement in accordance with § 25-16-902, to be paid by the department to the extent money is available.

History. Acts 2003, No. 1804, § 2.

A.C.R.C. Notes. Acts 2003, No. 1804, § 2, also provided: "(1) In 2003, three (3) members shall be appointed by the Speaker of the House of Representatives as follows:

"(A) One (1) for a term to expire June 30, 2005;

"(B) One (1) for a term to expire June 30, 2006; and

"(C) One (1) for a term to expire June 30, 2007.

"(2) In 2003, three (3) members shall be appointed by the President Pro Tempore of the Senate as follows:

"(A) One (1) for a term to expire June 30, 2005;

"(B) One (1) for a term to expire June 30, 2006; and

"(C) One (1) for a term to expire June 30, 2007.

"(3) In 2003, three (3) members shall be appointed by the Governor as follows:

"(A) One (1) for a term to expire June 30, 2005;

"(B) One (1) for a term to expire June 30, 2006; and

"(C) One (1) for a term to expire June 30, 2007."

CHAPTER 82

SCHOLARSHIPS

SUBCHAPTER.

1. GENERAL PROVISIONS.
2. STUDENT ASSISTANCE GRANT PROGRAM.
3. ARKANSAS GOVERNOR'S SCHOLARS PROGRAM.
4. ARKANSAS HIGH TECHNOLOGY SCHOLARSHIP PROGRAM.
5. CHILDREN OF LAW ENFORCEMENT OFFICERS, ETC.
6. CHILDREN OF VETERANS, PRISONERS OF WAR, ETC.
7. ARKANSAS LITERACY CORPS. [REPEALED.]
8. ARKANSAS NATIONAL GUARD SCHOLARSHIP PROGRAM [REPEALED.]
9. ARKANSAS OPPORTUNITY SCHOLARSHIP ACT. [REPEALED.]
10. ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM.
11. SECOND EFFORT SCHOLARSHIP PROGRAM.
12. LAW ENFORCEMENT OFFICERS.
13. DELTA REGION SCHOLARSHIP PROGRAM. [REPEALED.]
14. HONORS COLLEGE SCHOLARSHIP PROGRAM. [REPEALED.]
15. ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM.
16. ARKANSAS WORKFORCE IMPROVEMENT GRANT PROGRAM.

RESEARCH REFERENCES

- Am. Jur.** 15A Am. Jur. 2d, Colleges & U., § 20.
C.J.S. 14A C.J.S., Colleges & U., § 33.

SUBCHAPTER 1 — GENERAL PROVISIONS

SECTION.

- 6-82-101. [Repealed.]
 6-82-102. Annual review of minority scholarship or grant program.

SECTION.

- 6-82-103. Out-of-state tuition.
 6-82-104. Annual report.

Effective Dates. Acts 1997, No. 112, § 40: Feb. 7, 1997. Emergency clause provided: "It is hereby found and determined by the General Assembly that Act 10 of the First Extraordinary Session of 1995 abolished the Joint Interim Committee on Education and in its place established the House Interim Committee and Senate Interim Committee on Education; that various sections of the Arkansas Code refer to the Joint Interim Committee on Education and should be corrected to refer to the House and Senate Interim Committees on Education; that this act so provides; and that this act should go into effect immediately in order to make the laws compatible

as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1997, No. 1211, § 40: July 1, 1997. Emergency clause provided: "It is hereby

found and determined by the Eighty-First General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1997 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the

effective date of this Act beyond July 1, 1997 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1997."

6-82-101. [Repealed.]

Publisher's Notes. This section, concerning scholarships for students of Quapaw descent, was repealed by Acts

2001, No. 1692, § 6. The section was derived from Acts 1975, No. 553, § 1; A.S.A. 1947, § 80-2893.

6-82-102. Annual review of minority scholarship or grant program.

(a) The Arkansas Higher Education Coordinating Board shall review annually all minority scholarship or grant programs administered by the Department of Higher Education in order to ensure that the programs are in compliance with federal regulations.

(b) The board of trustees of each publicly supported institution of higher education shall review annually all minority scholarship or grant programs administered by the institution in order to ensure that the programs are in compliance with federal regulations.

History. Acts 1993, No. 301, §§ 1, 2; No. 330, §§ 1, 2; 1995, No. 1296, § 36; 1997, No. 112, § 24; 1999, No. 478, § 9.

Amendments. The 1999 amendment deleted former (a) and redesignated the remaining subsection accordingly; in present (a), substituted "Arkansas Higher Education Coordinating Board" for

"board" and deleted "and shall report the board's findings no later than June 30 to the House and Senate Interim Committees on Education" following "federal regulations"; in (b), substituted "The board of trustees of each" for "Each" in the first sentence, and deleted the second sentence; and made stylistic changes.

6-82-103. Out-of-state tuition.

(a) The board of trustees of any institution of higher education may waive the out-of-state portion of any full tuition scholarship for any full-time student which is provided by unrestricted funds of the institution.

(b) The part that is waived shall not be considered as an expenditure by any regulation of the Arkansas Higher Education Coordinating Board.

History. Acts 1997, No. 342, § 41; 1997, No. 1211, § 30.

A.C.R.C. Notes. The State Board of Higher Education was abolished and

transferred to the Arkansas Higher Education Coordinating Board by Acts 1997, No. 1114, § 1.

6-82-104. Annual report.

(a) The Department of Education and the Department of Higher Education shall jointly prepare an annual report for the General Assembly that shall assess the impact of scholarship programs administered by the Department of Higher Education that were enacted or amended in the Eighty-third regular session of the General Assembly.

(b) The report shall include:

(1) The number of persons who have participated in each of the funded programs each year;

(2) The participants' race, gender, and age;

(3) The number of persons who have participated in the critical teacher shortage forgivable loan programs who have rendered service as teachers in critical teacher shortage areas each year by school districts;

(4) The retention and graduation rates of participants in the program; and

(5) Other information as may be useful for policy-making decisions by the General Assembly.

(c) The report shall be submitted to the Legislative Council by December 1 of each year beginning in 2002.

(d) Any private or public institution of higher education or student receiving funds from state-supported scholarship programs shall report to the Department of Higher Education or the Department of Education information as may be requested by the Department of Higher Education or the Department of Education to comply with reporting requirements established by the General Assembly.

History. Acts 2001, No. 1520, § 1.

SUBCHAPTER 2 — STUDENT ASSISTANCE GRANT PROGRAM

SECTION.

6-82-201. Legislative findings and intent
— Purpose of subchapter.

6-82-202. Definitions.

6-82-203. Program established.

6-82-204. Administration — Authority of
department.

6-82-205. Eligibility.

6-82-206. Qualified student entitled to
scholarship.

6-82-207. Duties of applicant for scholar-
ship.

SECTION.

6-82-208. Amounts of scholarships.

6-82-209. Allocation of scholarship.

6-82-210. Award made to student.

6-82-211. Withdrawal and refunds.

6-82-212. Transfer to another school.

6-82-213. Legislative intent — Enhance-
ment of student assistance
grant program.

Cross References. Minor child of legal resident of Arkansas as legal resident for limited purposes, § 6-60-210.

Effective Dates. Acts 1977, No. 627, § 11: Mar. 22, 1977; Acts 1977, No. 659, § 11: Mar. 23, 1977. Emergency clause

provided: "It is hereby found and determined by the General Assembly that there is an urgent need for the establishment of a scholarship program to encourage the young people of the state to continue their education after high school; that there are

many deserving young people in the state who are not financially able to attend a college without some financial assistance, that this Act is designed to provide a scholarship program whereby grants may be awarded such deserving students to enable them to attend a college of their choice, and should be given effect immediately to accomplish this worthy purpose. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1979, No. 682, § 4: Apr. 2, 1979. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need for extending third year and fourth year students the opportunity to receive assistance through the State Scholarship program and to clarify certain administrative aspects of the program. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1979, No. 1048, § 4: Apr. 18, 1979. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need for extending third year and fourth year students the opportunity to receive assistance through the State Scholarship program and to clarify certain administrative aspects of the program. Therefore, an

emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 1983 (Ex. Sess.), No. 50, § 3: July 1, 1984. Emergency clause provided: "It is hereby found and determined by the General Assembly that there is an urgent need for changing the maximum grant amount for students receiving assistance from the State Scholarship Program and to clarify certain administrative aspects of the program. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1984."

Acts 1989, No. 965, § 3: July 1, 1989. Emergency clause provided: "It is hereby found and determined by the General Assembly that the current proportion of Arkansas attending institutions of higher education is extremely low and well below the national average; that an urgent need exists to provide greater financial assistance to the Student Assistance Grant Program to help accommodate the projected increase in the percentage of high school students seeking to pursue postsecondary educational goals. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the immediate preservation of public peace, health, and safety, shall be in full force and effect July 1, 1989."

6-82-201. Legislative findings and intent — Purpose of subchapter.

(a)(1) The General Assembly, giving due consideration to the historical and continuing interest of the people of Arkansas in encouraging able and deserving students to realize their aspirations for postsecondary education, finds and declares that postsecondary education for residents of this state who desire such an education and are properly qualified therefor is important to the welfare and security of this state and nation and, consequently, is an important public service.

(2) The General Assembly finds and declares that the state can achieve its full economic and social potential only if every individual has the opportunity to contribute to the full extent of his or her capabilities and only when financial barriers to his or her economic, social, and educational goals are removed.

(b) It is, therefore, the policy of the General Assembly and the purpose of this subchapter to establish a financial assistance program to provide able and deserving full-time students the opportunity to continue their program of self-improvement in an approved private or public institution of postsecondary education of their choice in this state.

History. Acts 1977, No. 627, § 1; 1977, No. 659, § 1; A.S.A. 1947, § 80-5001.

6-82-202. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Academic ability" means the intellectual standing of the student. In determining academic ability, the department shall examine the student's high school or college records or certified evidence therefrom on which the application is based, requiring proof of academic achievement and the capacity to profit from postsecondary education. Admission to an approved private or public institution does not automatically meet academic ability qualifications;

(2) "Approved private institution" means a nonprofit two-year or four-year degree-granting institution of postsecondary education or an institution offering completion of an occupational training program as defined by the federal government, dedicated to educational purposes, located in Arkansas which:

(A) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(B) Restricts the use of public funds to educational programs with a secular purpose;

(C) Provides a collegiate-level course of instruction for a minimum of two (2) years leading to or directly creditable toward an associate or baccalaureate degree or provides a course which leads to completion of an occupational training program;

(D) Is accredited by an accrediting agency certified and recognized by the United States Department of Education or the division of agency evaluation and institutional accreditation, or is a school giving satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

(E) Does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto; and

(F) Subscribes to the principle of academic freedom;

(3) "Approved public institution" means a two-year or four-year degree-granting institution of postsecondary education or an institution offering completion of an occupational training program as defined by the federal government, dedicated to educational purposes, located in Arkansas which:

(A) Is directly controlled or administered by a public agency or political subdivision;

(B) Receives appropriations directly or indirectly from the General Assembly for operating expenses;

(C) Provides a collegiate-level course for a minimum of two (2) years leading to or directly creditable toward an associate or baccalaureate degree or provides a course which leads to completion of an occupational training program;

(D) Is accredited by an accrediting agency certified and recognized by the United States Department of Education or the Division of Agency Evaluation and Institutional Accreditation, or is a school giving satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

(E) Does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(F) Subscribes to the principle of academic freedom;

(4) "Department" means the Department of Higher Education;

(5) "State scholarship" means the amount of money paid by the State of Arkansas to a qualified applicant pursuant to this subchapter;

(6) "Financial need" means the difference between the student's financial resources available, as determined by the department, and the student's total educational expenses, including tuition, mandatory fees, and board and room while attending an approved private or public institution of postsecondary education. In determining need, the department shall employ a formula of or similar to a nationally recognized comprehensive mechanism for determining need;

(7) "Full-time student" means an individual resident of Arkansas, as prescribed by the department, who is a student at an approved private or public institution in a course of study leading to an associate's or bachelor's degree or completion of an occupational training program, and who is enrolled in at least twelve (12) semester hours or some other reasonable academic equivalent as defined by the department; and

(8) "Qualified student" means a full-time student who meets the criteria of academic ability and financial need, as determined by the department, and who has demonstrated that a state scholarship is warranted.

History. Acts 1977, No. 627, § 2; 1977, No. 659, § 2; A.S.A. 1947, § 80-5002.

U.S. Code. The Civil Rights Act of 1964 referred to in this section is codified as 42 U.S.C. §§ 1971, 1975a-1975d and 2000a-2000h-6.

The relevant portion of the Civil Rights Act of 1968 referred to in this section is codified as 18 U.S.C. § 245.

6-82-203. Program established.

There is established a program for providing state scholarships to residents of the State of Arkansas who are admitted to and in attendance as full-time postsecondary students at approved private or public institutions of postsecondary education in this state and who establish academic ability and financial need as provided in this subchapter.

History. Acts 1977, No. 627, § 3; 1977, No. 659, § 3; A.S.A. 1947, § 80-5003.

6-82-204. Administration — Authority of department.

The Department of Higher Education shall administer the student assistance grant program provided for in this subchapter and in so doing shall have the following authority and responsibility with respect to the program:

(1) To prepare application forms, parents' confidential financial statement forms, or such other forms as it shall deem necessary to properly administer and carry out the purposes of this subchapter and to furnish the forms to persons desiring to make application for state scholarships under the provisions of this subchapter;

(2) To establish and consult, as necessary, an advisory committee representing the private and public sectors of postsecondary education in determining guidelines and regulations for administration of the student assistance grant program, including, but not limited to, rules determining academic ability, financial need, and residency;

(3) To adopt such rules and regulations as the department shall deem necessary or appropriate to carry out the purposes of this subchapter;

(4) To consider all applications for state scholarships;

(5) To determine a termination date for the acceptance of applications;

(6) To determine the necessary procedures for the awarding of grants should the number of eligible applicants exceed funds available, giving priority to those students with the greatest financial need and who meet academic eligibility requirements. To identify those students having the greatest financial need, the department shall utilize the family contribution or another acceptable approved methodology;

(7) To cooperate with and receive the cooperation of the approved private and public institutions of postsecondary education in the state and their governing bodies in the administration of the scholarship program;

(8) To employ or engage such professional, administrative, clerical, and other employees as may be necessary to assist the department in the performance of its duties and responsibilities;

(9) To require applicants to file such additional information with the department as it may deem necessary and appropriate to carry out the purposes of this subchapter and to prevent fraud or misrepresentation or misleading representation by applicants;

- (10) To disburse scholarship grants to qualified students; and
- (11) To provide fair and equitable treatment to all approved institutions and students.

History. Acts 1977, No. 627, § 7; 1977, No. 659, § 7; 1983 (Ex. Sess.), No. 50, § 2; A.S.A. 1947, § 80-5007.

6-82-205. Eligibility.

(a) A qualified student shall be eligible for an initial or renewed state scholarship only if:

- (1) He or she is a citizen of the United States;
- (2) He or she is a resident of the State of Arkansas as determined by the Department of Higher Education;
- (3) He or she meets the admission requirements of the approved institution of postsecondary education of his or her choice;
- (4) He or she is enrolled as a full-time student in an undergraduate program at an approved private or public institution;
- (5) He or she satisfactorily meets the qualifications of financial need and academic achievement as established by the department.

(b) State scholarships provided for in this subchapter shall be awarded to freshmen as first-year students, sophomores as second-year students, juniors as third-year students, and seniors as fourth-year students.

History. Acts 1977, No. 627, §§ 4, 5; 1979, No. 1048, § 1; A.S.A. 1947, §§ 80-1977, No. 659, §§ 4, 5; 1979, No. 682, § 1; 5004, 80-5005.

6-82-206. Qualified student entitled to scholarship.

A qualified student who is enrolled or has been accepted for enrollment at an approved private or public institution and who meets the other eligibility criteria shall be entitled to a state scholarship based on academic ability and financial need as determined by the Department of Higher Education.

History. Acts 1977, No. 627, § 6; 1977, No. 659, § 6; A.S.A. 1947, § 80-5006.

6-82-207. Duties of applicant for scholarship.

Each applicant shall, in accordance with the provisions of this subchapter and the rules and regulations of the Department of Higher Education adopted pursuant to this subchapter:

- (1) Complete and file with the department, either directly or through a service recognized by the department, the appropriate application for a state scholarship and other information and data as may be requested by the department for its use and consideration in determining the eligibility of the applicant;

(2) Promptly furnish to the department information regarding any other financial aid received, any change in the financial status of the applicant, and any other information which might have a direct bearing on the eligibility of the applicant for assistance under this subchapter; and

(3) Provide the department with written verification of the applicant's intention to use the state scholarship for the purposes included within this subchapter.

History. Acts 1977, No. 627, § 8; 1977, No. 659, § 8; 1979, No. 682, §§ 2, 3; 1979, No. 1048, §§ 2, 3; A.S.A. 1947, § 80-5008.

6-82-208. Amounts of scholarships.

(a) The minimum scholarship award shall be one hundred dollars (\$100) per academic year.

(b) The maximum scholarship award shall not exceed the lesser of:

(1) One-half ($\frac{1}{2}$) of the tuition and mandatory fee charges per student per year at the approved private or public institution where the student has been admitted and is attending; or

(2) Eight hundred dollars (\$800) for each academic year.

History. Acts 1977, No. 627, § 6; 1977, No. 659, § 6; 1983 (Ex. Sess.), No. 50, § 1; A.S.A. 1947, § 80-5006.

6-82-209. Allocation of scholarship.

A state scholarship may be allotted for one (1) academic year but shall be allocated equally among the semesters, trimesters, or other reasonable academic calendar equivalents covered, upon certification by the approved private or public institutions that the student has been admitted, is in attendance at such school, and is making satisfactory progress in his or her course of study.

History. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-210. Award made to student.

The state scholarship is to be awarded directly to the student, in the name of the student, in a manner to be determined by the Department of Higher Education.

History. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-211. Withdrawal and refunds.

If a recipient of a state scholarship at any time withdraws from an approved private or public institution so that under the rules and

regulations of that institution he or she is entitled to a refund of any tuition, fees, or other charges, then the institution shall pay the refund to which the student may be entitled to the Department of Higher Education, to the extent of any amount the department has paid to the student for that academic year.

History. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-212. Transfer to another school.

If a recipient of a state scholarship transfers from one (1) approved institution to another, his or her scholarship may be transferred with the approval and adjustment of the Department of Higher Education.

History. Acts 1977, No. 627, § 5; 1977, No. 659, § 5; A.S.A. 1947, § 80-5005.

6-82-213. Legislative intent — Enhancement of student assistance grant program.

(a) It is the intent of the General Assembly to significantly increase support for the student assistance grant program, previously known as the state scholarship program, in order to provide increased assistance to students and to raise the proportions of Arkansans attending institutions of higher education to match the national average within a ten-year period. To reach these objectives, it is the intent of the General Assembly to guard against continuing inflation and to accommodate the projected increase in the percentage of high school students going on to postsecondary education by providing a significant increase in funding for the student assistance grant program during the 1989-1991 biennium and an additional increase of ten percent (10%) each year for ten (10) years, beginning with the 1991-1992 fiscal year.

(b) The following funding targets are established for fiscal years 1990 through 1999 for the student assistance grant program:

FY90	\$ 7,243,796
FY91	\$ 8,386,924
FY92	\$ 9,225,616
FY93	\$10,148,178
FY94	\$11,162,996
FY95	\$12,279,295
FY96	\$13,507,225
FY97	\$14,857,947
FY98	\$16,343,742
FY99	\$17,987,116

History. Acts 1989, No. 965, § 1.

SUBCHAPTER 3 — ARKANSAS GOVERNOR'S SCHOLARS PROGRAM

SECTION.

- 6-82-301. Legislative determinations.
- 6-82-302. Definitions.
- 6-82-303. Establishment.
- 6-82-304. Administration — Authority of department.
- 6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas Governor's Distinguished Scholars.
- 6-82-306. Eligibility.
- 6-82-307. Applicant's responsibilities.

SECTION.

- 6-82-308. Number and geographic distribution of scholarships.
- 6-82-309. Award of scholarship.
- 6-82-310. Use of scholarship.
- 6-82-311. Term, renewal, and allocation of scholarships.
- 6-82-312. Scholarship amounts.
- 6-82-313. Termination of scholarship.
- 6-82-314. Withdrawal from school — Refund.
- 6-82-315, 6-82-316. [Repealed.]

Effective Dates. Acts 1985, No. 176, § 3: Jan. 1, 1985. Emergency clause provided: "It is hereby determined by the General Assembly that there is an urgent need for clarification of the definition "eligible student" in the Governor's Scholars Program. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after January 1, 1985."

Acts 1989, No. 951, § 4: July 1, 1989. Emergency clause provided: "It is hereby determined by the General Assembly that there currently exists a deficiency in both the number and size of the Governor's Scholarships offered as an incentive to promote post-secondary education in Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of public peace, health, and safety shall be in full force and effect July 1, 1989."

Acts 1997, No. 1269, § 6: Apr. 9, 1997. Emergency clause provided: "It is found and determined by the General Assembly that there are some students who qualify for a Governor's Scholarship and receive an undergraduate degree in three (3) years or less and that allowing these students to use the Governor's Scholarship for a fourth year in a postgraduate program would provide an incentive to other students to strive toward receiving a bachelors degree in less than four (4) years and that the immediate effectiveness of this act is essential to the efficient administration of the Governor's Scholarship Program. Therefore, an emergency is

declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 1999, No. 1562, § 10: Apr. 15, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-second General Assembly that in order to award scholarships based on the provisions of this act to students entering college during the 1999-2000 academic year, immediate implementation of this act is necessary. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2001, No. 1761, § 9: Apr. 30, 2001. Emergency clause provided: "It is found and determined by the General Assembly that the state does not have the funds to support the Arkansas Governor's Scholars Program in its current form; and that

applicants graduating after December 31, 2000, will experience uncertainty regarding eligibility for the Arkansas Governor's Scholars Program; and that many applicants may be delayed in beginning their post-secondary education unless changes in the scholarship program become effective in sufficient time to allow scholarship

awards to be made to those students needing to make enrollment decisions for the 2001-2002 academic year. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on April 30, 2001."

6-82-301. Legislative determinations.

The General Assembly recognizes that outstanding students are an essential ingredient for the economic and social benefit of the State of Arkansas. Benefits accrue to the state when a majority of National Merit Scholars, National Achievement Scholars, and superior students attend Arkansas institutions of higher learning and remain in the state.

History. Acts 1983 (Ex. Sess.), No. 59, § 1; A.S.A. 1947, § 80-5901; Acts 2001, No. 1761, § 1.

Amendments. The 2001 amendment inserted "National Achievement Scholars."

6-82-302. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Academic ability" means the intellectual standing of a student. In determining superior academic ability, the Department of Higher Education shall examine the student's high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) "Approved institution" means a public or private college or university:

(A) Which is dedicated to educational purposes, located in Arkansas, or located out of state and educating Arkansas residents in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy under agreement with the Board of Control for Southern Regional Education, accredited by an accrediting agency certified and recognized by the United States Department of Education or the Division of Agency Evaluation and Institutional Accreditation, or a school giving satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

(B) Which does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin; and

(C) Which subscribes to the principle of academic freedom;

(3) "Competitive examination" means a standardized examination measuring achievement which is administered annually on a specified date and at a specified location and which is announced publicly;

(4) "Department" means the Department of Higher Education;

(5) "Eligible student" means a resident of the State of Arkansas as defined by the Department of Higher Education who is eligible for

admission as a full-time student and who declares an intent to matriculate in an approved institution in Arkansas;

(6)(A) "Extraordinary academic ability" means:

(i) Achievement of a score of 32 or above on the American College Test (ACT) or 1410 or above on the Scholastic Aptitude Test (SAT); and

(ii)(a) For students graduating from high school after December 31, 2001, achievement of a high school grade point average of 3.5 or above on a 4.0 scale; or

(b) Selection as a finalist in either the National Merit Scholarship competition or the National Achievement Scholarship competition conducted by the National Merit Scholarship Corporation.

(B) For students graduating after December 31, 2001, the American College Test scores and Scholastic Aptitude Test scores shall be earned by December 31 prior to the application deadline in order for the scores to be considered by the department for a scholarship award;

(7) "Full-time student" means a resident of Arkansas who is in attendance at an approved private or public institution and who is enrolled in at least twelve (12) credit hours the first semester and fifteen (15) hours thereafter, or other reasonable academic equivalent as defined by the department;

(8) "Scholarship" means an award to an eligible student for matriculation in an approved institution in the State of Arkansas; and

(9) "Undergraduate student" means an individual who is enrolled in a postsecondary educational program which leads to or is directly creditable toward the individual's first baccalaureate degree.

History. Acts 1983 (Ex. Sess.), No. 59, § 3; 1985, No. 176, § 1; A.S.A. 1947, § 80-5903; Acts 1997, No. 489, § 1; 1997, No. 1269, § 2; 2001, No. 1761, § 2.

Amendments. The 2001 amendment redesignated former (1), (2) and (4) as present (2), (4) and (7) respectively substituted "credit hours the first semester and

fifteen (15) hours thereafter" for "semester hours" in present (7); redesignated former (4), (6), (7) and (8) as present (9), (8), (3) and (1) respectively; substituted "Department of Higher Education" for "department" in present (1); redesignated former (9) as present (6) and rewrote it; and made minor stylistic changes throughout."

6-82-303. Establishment.

A scholarship program to promote academic excellence and to encourage the state's most talented graduates to enroll in Arkansas postsecondary educational institutions is created and established which shall be cited as the Arkansas Governor's Scholars Program.

History. Acts 1983 (Ex. Sess.), No. 59, §§ 1, 2; A.S.A. 1947, §§ 80-5901, 80-5902.

6-82-304. Administration — Authority of department.

The Department of Higher Education shall administer the Arkansas Governor's Scholars Program and shall have the following authority and responsibility with respect to the program to:

(1) Prepare application forms or such other forms as the department shall deem necessary to properly administer and carry out the purposes of this subchapter;

(2) Establish and consult as necessary with an advisory committee representing the public and private sectors of postsecondary education and secondary schools in determining guidelines and regulations for the administration of this program;

(3) Select recipients of scholarships awarded pursuant to the provisions of this subchapter;

(4) Establish the procedures for payment of scholarships to recipients;

(5) Set a termination date for the acceptance of applications;

(6) Review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this legislation; and

(7) Determine the necessary procedures for the awarding of scholarships should the number of eligible applicants exceed the funds available.

History. Acts 1983 (Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906; Acts 2001, No. 1761, § 3.

Amendments. The 2001 amendment added (6) and (7) and made related changes.

6-82-305. Recipients known as Arkansas Governor's Scholars or Arkansas Governor's Distinguished Scholars.

(a) Students receiving scholarships shall be known as Arkansas Governor's Scholars.

(b) Arkansas Governor's Scholarship recipients who exhibit extraordinary academic ability shall be known as Arkansas Governor's Distinguished Scholars.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1997, No. 489, § 2; 1999, No. 1562, § 1; 2001, No. 1761, § 4.

substituted "Students who exhibit" for "Those who exhibit" in (b).

The 2001 amendment substituted "Arkansas Governor's Scholarship recipients" for "Students" in (b).

Amendments. The 1999 amendment

6-82-306. Eligibility.

(a) The Arkansas Governor's Scholars Program scholarships are to be awarded to those students who demonstrate the highest capabilities for successful college study.

(b) A student is eligible for this scholarship if:

(1) The individual has met the admission requirements and is accepted for enrollment as a full-time undergraduate student in an eligible public or private college or university in Arkansas;

(2) The individual is a bona fide resident of the state, as defined by the department. Preference will be given to students who plan to enter college at the beginning of the academic year directly following their last year of high school attendance;

(3) The individual is a citizen of the United States or a permanent resident alien;

(4)(A) The applicant has demonstrated proficiency in the application of knowledge and skills in reading and writing literacy and mathematics by passing the end-of-course examination as may be developed by the Department of Education, and as may be designated by the Department of Higher Education for this purpose.

(B) "End-of-course" examination shall mean those examinations defined in § 6-15-419(9); and

(5)(A) The individual satisfactorily meets the qualifications of superior academic ability as established by the Department of Higher Education with such criteria consisting of value points for academic achievement and leadership, including, but not limited to:

(i) American College Test (ACT) or Scholastic Aptitude Test (SAT) score, National Merit Finalist, or National Achievement Finalist;

(ii) High school grade point average;

(iii) Rank in high school class; and

(iv) Leadership in school, community, and employment.

(B) The Department of Higher Education shall have the authority to alter the weight assigned to the individual criterion to more appropriately meet the needs of the state as determined by the Arkansas Higher Education Coordinating Board.

(c) The scholarship shall be weighed on the factors of achievement, ability, and demonstrated leadership capabilities.

(d) Students who are selected as Arkansas Governor's Scholars who also exhibit extraordinary academic ability as defined in this subchapter shall be designated as Arkansas Governor's Distinguished Scholars.

History. Acts 1983 (Ex. Sess.), No. 59, § 5; 1985, No. 176, § 2; A.S.A. 1947, § 80-5905; Acts 1997, No. 489, § 3; 1999, No. 1562, § 2; 2001, No. 1761, § 5.

Amendments. The 1999 amendment substituted "who exhibit extraordinary academic ability" for "who are selected as Arkansas Governor's Scholars who also exhibit academic ability" in (d).

The 2001 amendment added (b)(4) and redesignated the remaining subsections accordingly; added "with such criteria ...not limited to" in (b)(5)(A); added (b)(5)(A)(i)-(iv) and (b)(5)(B); and inserted "are selected as Arkansas Governor's Scholars who also" in (d).

6-82-307. Applicant's responsibilities.

Each applicant shall, in accordance with the provisions of this subchapter and the rules and regulations of the Department of Higher Education:

(1) Complete and file with the department the appropriate application for the Arkansas Governor's Scholars Program and such other information and data as may be requested by the department in determining the eligibility of the student;

(2) Furnish to the department information regarding any change in status of the student or any other information that might have a direct bearing on the eligibility of the applicant; and

(3) Provide the department with verification that the scholarship was used in accordance with the purposes of this subchapter.

History. Acts 1983 (Ex. Sess.), No. 59, § 7; A.S.A. 1947, § 80-5907.

6-82-308. Number and geographic distribution of scholarships.

(a) If sufficient funds are available, effective for students receiving their initial awards beginning in fall 2001, the number of initial scholarship awards to eligible high achievers shall not exceed two hundred seventy-five (275) each year, to be distributed as follows:

(1) Up to two hundred fifty (250) Arkansas Governor's Distinguished Scholarships; and

(2) Twenty-five (25) Arkansas Governor's Scholarships at four thousand dollars (\$4,000) per year.

(b)(1) Effective for students receiving their initial awards beginning in fall, 2002, up to two hundred fifty (250) initial Arkansas Governor's Distinguished Scholarship awards and twenty-five (25) initial Arkansas Governor's Scholarship awards may be provided if, at the end of calendar year 2001 and each year thereafter, the Department of Higher Education can demonstrate, based on economic projections and revenue forecasts relative to the number of Arkansas Academic Challenge Scholarship recipients then receiving the scholarship, that sufficient funds are available for that purpose.

(2) A report of the same shall be submitted to the House Interim Committee on Education and the Senate Interim Committee on Education and the Legislative Council for review prior to obligating the funds.

(3) Should a shortfall of funds be projected, the department shall promulgate regulations for the priority funding of these scholarships and submit these proposed regulations to the Arkansas Higher Education Coordinating Board for a public hearing and to the Legislative Council through its Rules and Regulations Subcommittee for review before implementing the regulations.

(c) The department is authorized to adjust the distribution of these scholarships to ensure one (1) award in each of the seventy-five (75) counties.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 1; 1997, No. 489, § 4; 2001, No. 1761, § 6.

A.C.R.C. Notes. Acts 2001, No. 1612, § 21, provided: "GOVERNOR'S SCHOLARS PROGRAM. Should the funding of Governor's Scholars Program exceed the

funding level of the previous fiscal year and the number of scholarships awarded increases to 200 or more, the Department of Higher Education shall make every effort to assure a geographic distribution of the awards without compromising the academic criteria established for such awards.

"The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003."

Amendments. The 2001 amendment rewrote this section.

Cross References. Legislative findings and declarations of public necessity, § 6-82-1001.

6-82-309. Award of scholarship.

An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship will be awarded to a student in a manner to be determined by the Department of Higher Education.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904.

6-82-310. Use of scholarship.

(a) No student may utilize scholarship funds for educational purposes beyond the baccalaureate degree.

(b) There shall be an exception to the requirement of subsection (a) of this section for any student who receives a baccalaureate degree in three (3) years or less. The student may receive an award of the scholarship for a fourth academic year to be used as a full-time student enrolled in a postgraduate program at an approved institution.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1997, No. 1269, § 1.

6-82-311. Term, renewal, and allocation of scholarships.

(a) An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship may be awarded annually for a period not to exceed an academic year.

(b)(1) A scholarship shall correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institutions.

(2) In no instance may the entire amount of the grant for an educational year be paid to or on behalf of students in advance.

(c) Provided sufficient funds are available, a scholarship shall be awarded for one (1) academic year and renewed annually for three (3) additional academic years if the following conditions for renewal are met:

(1) The student maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale;

(2) A student receiving the additional scholarship under § 6-82-312(b) maintains not less than a 3.25 grade point average on a 4.0 scholastic grading scale;

(3) The recipient has completed a total of at least twenty-seven (27) hours during the first full academic year and, if applicable, a total of at least thirty (30) hours per academic year thereafter;

(4) If the student is entering the junior year, the student has taken the standardized rising junior test provided for in § 6-61-114; and

(5) The recipient has met any other continuing eligibility criteria established by the Department of Higher Education.

History. Acts 1983 (Ex. Sess.), No. 59, §§ 4, 6; A.S.A. 1947, §§ 80-5904, 80-5906; Acts 1997, No. 489, § 5; 1999, No. 1562, § 3; 2001, No. 1761, § 7.

in (c)(2), inserted "effective after July 1, 1999" and substituted "3.25 grade point" for "3.5 grade point," and made stylistic changes.

Amendments. The 1999 amendment,

The 2001 amendment rewrote (c).

6-82-312. Scholarship amounts.

(a) An Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship awarded to a new recipient who enrolls in college as a first-time entering freshmen after July 1, 1995, shall be in the amount of four thousand dollars (\$4,000) per year, provided funds are available.

(b) Provided sufficient funds are available, a student who was a first-time entering freshman after July 1, 1997, but before July 1, 2002, and who exhibited extraordinary academic achievement shall be awarded, in addition to the award in subsection (a) of this section, an amount per year which when combined with the award in subsection (a) of this section equals tuition, room and board, and mandatory fees charged in academic year 2000-2001 for a regular full-time course load by the approved institution in which the recipient is enrolled.

(c) Provided sufficient funds are available, a student who is a first-time entering freshman after July 1, 2002, and who exhibits extraordinary academic achievement shall be awarded, in addition to the award in subsection (a) of this section, an amount per year which when combined with the award in subsection (a) of this section equals the lesser of:

(1) Ten thousand dollars (\$10,000); or

(2) Tuition, room and board, and mandatory fees charged for a regular full-time course load in academic year 2000-2001 by the approved institution in which the recipient is enrolled.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904; Acts 1989, No. 951, § 2; 1995, No. 189, § 1; 1995, No. 230, § 1; 1997, No. 489, § 6; 1999, No. 1562, § 4; 2001, No. 1761, § 8.

Publisher's Notes. Acts 1989, No. 951, § 2, provided, in part, that its provisions would be effective after June 1, 1989.

Amendments. The 1999 amendment, in (b), substituted "first-time entering freshmen after July 1, 1997, and who exhibit" for "awarded Arkansas Gover-

nor's Scholarships and who also exhibit," deleted "also" following "shall," inserted "mandatory fees charged for a regular full-time course load," and made stylistic changes.

The 2001 amendment, in (b), substituted "Provided sufficient funds are available, students who were" for "Students who are," substituted "but before July 1, 2002, and who exhibited" for "and who exhibit," and inserted "in academic year 2000-2001"; and added (c).

6-82-313. Termination of scholarship.

The scholarship will be terminated if a student does not complete a baccalaureate degree program within five (5) years from initial college entrance.

History. Acts 1983 (Ex. Sess.), No. 59, § 4; A.S.A. 1947, § 80-5904.

6-82-314. Withdrawal from school — Refund.

If a recipient of an Arkansas Governor's Scholarship or Arkansas Governor's Distinguished Scholarship withdraws from an approved private or public institution and under the policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Department of Higher Education to the extent of any amount the department has paid to the student for that academic year.

History. Acts 1983 (Ex. Sess.), No. 59, § 6; A.S.A. 1947, § 80-5906.

6-82-315, 6-82-316. [Repealed.]

Publisher's Notes. Former §§ 6-82-315 and 6-82-316, concerning the calculation of amount for the State Board of Higher Education and the Department of Higher Education, were repealed by Acts

1999, No. 1562, §§ 5 and 6 respectively. The sections were derived from the following sources:

6-82-315. Acts 1997, No. 1059, § 13.

6-82-316. Acts 1997, No. 1211, § 24.

SUBCHAPTER 4 — ARKANSAS HIGH TECHNOLOGY SCHOLARSHIP PROGRAM

SECTION.

6-82-401. Definitions.

6-82-402. Creation and establishment.

6-82-403. Administration — Authority of division.

6-82-404. Eligibility and preferences.

6-82-405. Applicant's responsibilities.

SECTION.

6-82-406. Award of scholarship.

6-82-407. Number of scholarships.

6-82-408. Amount of scholarships.

6-82-409. Term, allocation, and renewal.

6-82-410. Withdrawal from school — Refund.

6-82-401. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Academic ability" means the intellectual standing of a student. In determining superior academic ability, the Department of Workforce Education shall examine the student's high school records, competitive examination scores, and demonstrated leadership capabilities;

(2) "Approved high technology program" means a course of instruction in a highly technical field offered by any postsecondary educational institution which is approved by the department;

(3) "Approved institution" means all postsecondary educational institutions offering high technology programs which are approved by the department;

(4) "Division" means the Department of Workforce Education;

(5) "Full-time student" means a resident of Arkansas who is in attendance at an approved institution and who is enrolled for at least twelve (12) semester hours or such other reasonable academic equivalent as defined by the department; and

(6) "Scholarship" means an award to an eligible student for enrollment in an approved institution in the State of Arkansas.

History. Acts 1983 (Ex. Sess.), No. 86,
§ 2; A.S.A. 1947, § 80-2591.1.

6-82-402. Creation and establishment.

There is created and established a program which shall be cited as the "Arkansas High Technology Scholarship Program".

History. Acts 1983 (Ex. Sess.), No. 86,
§ 1; A.S.A. 1947, § 80-2591.

6-82-403. Administration — Authority of division.

The Department of Workforce Education shall administer this subchapter and shall have the following authority and responsibility with respect thereto:

(1) To prepare application forms or such other forms as the department shall deem necessary to properly administer and carry out the purposes of this subchapter;

(2) To establish and consult as necessary with an advisory committee representing the public and private sectors of postsecondary education and secondary schools in determining guidelines and regulations for the administration of this program;

(3) To select recipients of scholarships awarded pursuant to the provisions of this subchapter;

(4) To establish the procedures for payment of scholarships to recipients; and

(5) To set a termination date for acceptance of applications.

History. Acts 1983 (Ex. Sess.), No. 86,
§ 5; A.S.A. 1947, § 80-2591.4.

6-82-404. Eligibility and preferences.

(a) The scholarships shall be awarded to those students who demonstrate the highest capability for successful high technology study.

(b) A student is eligible for this scholarship if the individual:

(1) Has met the admission requirements and is accepted for enrollment as a full-time student in an approved institution;

(2) Has been a bona fide resident of the state prior to graduation from high school;

(3) Is a citizen of the United States or a permanent resident alien;

(4) Satisfactorily meets the qualifications of superior academic ability as established by the Department of Workforce Education.

(c) The scholarship shall be weighed on the factors of achievement, ability, and demonstrated leadership capabilities.

(d) Preference will be given to a student who uses his or her award in the same year that graduation from high school occurs.

History. Acts 1983 (Ex. Sess.), No. 86,
§ 4; A.S.A. 1947, § 80-2591.3.

6-82-405. Applicant's responsibilities.

Each applicant shall, in accordance with the provisions of this subchapter and the rules and regulations of the Department of Workforce Education:

(1) Complete and file with the department the appropriate application for the scholarship and such other information and data as may be requested by the department in determining the eligibility of the student;

(2) Furnish to the department information regarding any change in status of the student or any other information that might have a direct bearing on the eligibility of the applicant; and

(3) Provide the department with verification that the scholarship was used in accordance with the purposes of this subchapter.

History. Acts 1983 (Ex. Sess.), No. 86,
§ 6; A.S.A. 1947, § 80-2591.5.

6-82-406. Award of scholarship.

A scholarship shall be awarded to the student in a manner to be determined by the Department of Workforce Education.

History. Acts 1983 (Ex. Sess.), No. 86,
§ 3; A.S.A. 1947, § 80-2591.2.

6-82-407. Number of scholarships.

The number of scholarship awards to eligible students shall be twenty (20).

History. Acts 1983 (Ex. Sess.), No. 86,
§ 3; A.S.A. 1947, § 80-2591.2.

6-82-408. Amount of scholarships.

A scholarship shall be awarded in the amount of five hundred dollars (\$500).

History. Acts 1983 (Ex. Sess.), No. 86,
§ 3; A.S.A. 1947, § 80-2591.2.

6-82-409. Term, allocation, and renewal.

(a) A scholarship may be awarded annually for a period not to exceed an academic year.

(b)(1) A scholarship shall correspond to academic terms, semesters, quarters, or equivalent time periods at the eligible institutions.

(2) In no instance may the entire amount of a grant for an educational year be paid to or on behalf of such student in advance.

(c) A scholarship shall be awarded for one (1) academic year and renewed annually for up to three (3) additional academic years if the student maintains not less than a 3.0 grade point average on a 4.0 scholastic grading scale, or an equivalent academic standing, and meets other criteria as established by the Department of Workforce Education.

History. Acts 1983 (Ex. Sess.), No. 86, §§ 3, 5; A.S.A. 1947, §§ 80-2591.2, 80-2591.4.

6-82-410. Withdrawal from school — Refund.

If a recipient of a scholarship withdraws from an approved institution and under the policy of that institution the student is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Department of Workforce Education, to the extent of any amount the department has paid to the student for that academic year.

History. Acts 1983 (Ex. Sess.), No. 86, § 5; A.S.A. 1947, § 80-2591.4.

SUBCHAPTER 5 — CHILDREN OF LAW ENFORCEMENT OFFICERS, ETC.**SECTION.**

6-82-501. Definitions.

6-82-502. Rules and regulations.

6-82-503. Entitlement.

6-82-504. Awards to children.

SECTION.

6-82-505. Limits for scholarship.

6-82-506. Written application for benefits.

Effective Dates. Acts 1983 (Ex. Sess.), No. 47, § 2: Nov. 1, 1983. Emergency clause provided: "It is hereby found and determined by the General Assembly that the present administration of the scholarship program for the children of law enforcement officers and firemen who suffer fatal injuries or wounds or become permanently and totally disabled as a result of injuries or wounds which occurred within the scope of employment is unnecessarily complicated for benefit applicants; that the immediate passage of this Act is nec-

essary to clarify this problem and to accord equity and fairness to the children of such law enforcement officers and firemen. Therefore, an emergency is declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval."

Acts 2003, No. 1473, § 74: July 1, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that this act

includes technical corrects to Act 923 of 2003 which establishes the classification and compensation levels of state employees covered by the provisions of the Uniform Classification and Compensation Act; that Act 923 of 2003 will become effective on July 1, 2003; and that to avoid

confusion this act must also effective on July 1, 2003. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2003."

6-82-501. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Child" or "children" means any natural child, adopted child, or stepchild who is eligible under § 6-82-504;

(2) "Department of Community Correction employee" means any employee of the Department of Community Correction who suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds which occurred through contact with parolees, probationers, or center residents;

(3) "Fire fighter" means any fire fighter employed on a full-time or volunteer duty status while actually engaged in the performance of his or her duties;

(4) "Law enforcement officer" means a:

(A) Constable, which includes all duly elected constables of any beat of any county within the state while actually engaged in the performance of their duties concerning the criminal laws of the county and state;

(B) Game warden, which includes all appointed game wardens employed by the State of Arkansas on a full-time duty status while actually engaged in their duties concerning the game laws of this state;

(C) Municipal and college or university police officer, which includes all law enforcement officers of any municipality, college, or university who are regular duty personnel on full-time status and does not include auxiliary officers or those serving on a temporary or part-time status;

(D) Sheriff or deputy sheriff, which includes all law enforcement officers of full-time status on a regular basis serving the sheriff's department of any county but does not include deputy sheriffs who are engaged in administrative or civil duty or deputy sheriffs serving in a temporary capacity or part-time basis; and

(E) State highway patrolman, which includes any law enforcement officer, regardless of department or bureau, of the Department of Arkansas State Police;

(5) "State correction employee" means any employee of the Department of Correction or the Department of Correction School District who becomes subject to injury through contact with inmates or parolees of the department;

(6) "State forestry employee" means an employee of the Arkansas Forestry Commission who is actively engaged in his or her duties of fighting forest fires;

(7) "State highway employee" means any employee of the Arkansas State Highway and Transportation Department who actively engages in highway maintenance, construction, or traffic operations on the roadways and bridges of the state highway system while the roadways and bridges are open for use by the traveling public;

(8) "State parks employee" means any employee of the State Parks Division of the Department of Parks and Tourism who is a commissioned law enforcement officer or emergency response employee while actively engaged in the performance of his or her duties; and

(9) "Teacher" means any person employed by a public school for the purpose of giving instruction and whose employment requires state certification.

History. Acts 1973, No. 521, § 2; 1985, No. 420, § 1; A.S.A. 1947, § 80-3360; Acts 1993, No. 153, § 1; 1997, No. 547, § 8; 1999, No. 56, § 1; 1999, No. 1034, § 1; 2001, No. 113, § 1.

Amendments. The 1999 amendment by No. 56, in (2), substituted "Fireman" for "Municipal fireman" and deleted "municipal" preceding "fireman employed"; and added (6).

The 1999 amendment by No. 1034, in

(3), substituted "Fireman" for "Municipal fireman" and deleted "municipal" preceding "fireman employed"; inserted (4) and (5); added (7) and (8); and made stylistic changes throughout this section.

The 2001 amendment inserted present (2) and redesignated the remaining subdivisions accordingly; substituted "fire fighter" for "fireman" throughout present (3); and deleted "State" preceding "Forestry Commission" in present (6).

6-82-502. Rules and regulations.

The Arkansas Higher Education Coordinating Board is directed and empowered to promulgate rules and regulations as necessary to administer benefits awarded under this subchapter by the Arkansas State Claims Commission.

History. Acts 1973, No. 521, § 4; 1983 (Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 9.

6-82-503. Entitlement.

(a) If any Arkansas law enforcement officer, full-time or volunteer fire fighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee suffers fatal injuries or wounds or becomes permanently and totally disabled as a result of injuries or wounds which occurred in the performance of a hazardous duty within the scope of his employment or which occurred en route to a location where a hazardous situation existed, his or her children and spouse shall be entitled to a total of eight (8) semesters, or the equivalent thereof, of scholarship awards without cost, exclusive of books, food, school supplies, materials, and dues or fees for extracurricular activi-

ties, at any state-supported college, university, or technical institute of his or her choice within this state. Up to four (4) semesters, or the equivalent thereof, may be taken at a technical institute.

(b) Scholarship benefits shall not accrue under this subchapter to any person if the wounds or injuries suffered by any law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee are self-inflicted or if the death is self-induced.

(c) Unless § 6-82-504(e) is applicable, the Arkansas State Claims Commission shall award any scholarship benefit provided by this subchapter at the same time that any death benefit or total and permanent disability benefit is awarded by the commission under the provisions of § 21-5-701 et seq.

History. Acts 1973, No. 521, §§ 1, 2; A.S.A. 1947, §§ 80-3359, 80-3360; Acts 1989, No. 190, § 1; 1993, No. 153, § 2; 1997, No. 547, § 10; 1999, No. 56, § 2; 1999, No. 1034, § 2; 2001, No. 113, § 2; 2001, No. 158, § 1.

Amendments. The 1999 amendment inserted “state correction employee, state parks employee, teacher, or state forestry employee” in (a) and (b); and made stylistic changes.

The 2001 amendment by No. 113 inserted “Department of Community Cor-

rection employee” in (b).

The 2001 amendment by No. 158, in (a), inserted “or her” throughout the subsection, substituted “fire fighter” for “fireman,” inserted “Department of Community Correction employee,” substituted “a total of eight (8) semesters” for “an eight-semester,” substituted “of scholarship awards” for “scholarship,” inserted “or technical institute” following “university” and added the last sentence; and made minor stylistic changes.

6-82-504. Awards to children.

(a) In order for a natural child to be eligible to receive a scholarship benefit:

(1) The child must have been born prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee or the spouse of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee must have been pregnant with the child at the time of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(b) In order for an adopted child to be eligible to receive a scholarship benefit:

(1) The child must have been adopted prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; or

(2) The child's adoption process must have begun prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(c) In order for a stepchild under the age of nineteen (19) to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee; and

(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of the five (5) income years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(d) In order for a stepchild nineteen (19) years of age or older to be eligible to receive a scholarship benefit:

(1) The stepchild must have been listed as a dependent on the federal and state income tax returns of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, teacher, state parks employee, or state forestry employee; and

(2) The stepchild must have received more than one-half ($\frac{1}{2}$) of his or her financial support from the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state

forestry employee in each of five (5) income years during the eight (8) years immediately prior to the date of the death or total and permanent disability of the law enforcement officer, firefighter, state highway employee, state correction employee, Department of Community Correction employee, state parks employee, teacher, or state forestry employee.

(e) If the covered public employee or his or her heirs did not file for the available death or disability benefit, but were otherwise eligible to receive, within the time frame provided in § 21-5-703, then the covered public employee's child or children who would have otherwise been eligible to receive the provided educational scholarship benefit under this section may individually file prior to their twenty-first birthdays a claim to receive the provided educational scholarship benefit.

History. Acts 1973, No. 521, § 3; A.S.A. 1947, § 80-3361; Acts 1993, No. 153, § 3; 1997, No. 547, § 11; 1999, No. 56, § 3; 1999, No. 1034, § 3; 2001, No. 113, § 3; 2003, No. 1473, § 14.

Publisher's Notes. The introductory language of Acts 2003, No. 1473, § 14, provides, in part, that this section is amended to carry out the purposes of Acts 2001, No. 113.

Amendments. The 1999 amendment by No. 56 deleted "municipal" preceding "fireman" and inserted "or state forestry employee" throughout this section.

The 1999 amendment by No. 1034 deleted "municipal" preceding "fireman" and inserted "state correction employee, state

parks employee, teacher, or state forestry employee" throughout this section; and made stylistic changes.

The 2001 amendment inserted "Department of Community Correction employee" in (a)(1), (a)(2), (b)(1), (b)(2), (c)(1), (c)(2), (d)(1), and (d)(2); and substituted "fire fighter" for "fireman" throughout this section.

The 2003 amendment substituted "fire-fighter" for "fire fighter" throughout this section; and inserted "Department of Community Correction employee" following "state correction employee" twice in (a)(2), and once in (c)(1), (c)(2), (d)(1), and (d)(2).

6-82-505. Limits for scholarship.

(a) No child will be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached the age of twenty-three (23) years on or before the first day of the semester or quarter.

(b) No spouse will be eligible for the education benefit if he or she remarries. The benefit will cease at the end of the semester at which the spouse is currently enrolled at the time of the marriage.

History. Acts 1973, No. 521, § 2; A.S.A. 1947, § 80-3360; Acts 1989, No. 190, § 2.

6-82-506. Written application for benefits.

Any person claiming benefits awarded by the Arkansas State Claims Commission under the provisions of this subchapter shall make written application with the Department of Higher Education on forms provided by the department.

History. Acts 1973, No. 521, § 4; 1983 (Ex. Sess.), No. 47, § 1; A.S.A. 1947, § 80-3362; Acts 1997, No. 547, § 12.

SUBCHAPTER 6 — CHILDREN OF VETERANS, PRISONERS OF WAR, ETC.

SECTION.

6-82-601. Children of prisoners of war,
etc., after January 1, 1960.
6-82-602. Children of certain veterans

having served between
September 16, 1940, and
December 31, 1946.

Effective Dates. Acts 1973, No. 188, § 5: Mar. 2, 1973. Emergency clause provided: "The General Assembly hereby finds and declares that a need exists to provide educational benefits to the dependents of certain Arkansas citizens who are

prisoners of war or missing in action. It is therefore declared that an emergency exists, and this Act, being necessary for the public peace, safety and welfare, shall take effect and be in force from and after its passage and approval."

6-82-601. Children of prisoners of war, etc., after January 1, 1960.

(a) As used in this section, unless the context otherwise requires:

(1) "Prisoner of war" and "person missing in action" and "person killed in action" and "person killed on ordnance delivery" means any person who was a resident of the State of Arkansas at the time that person entered the service of the United States armed forces or whose official residence is within the State of Arkansas and who, while serving in the armed forces, has been declared to be a prisoner of war, a person missing in action, or a person killed in action as established by the Secretary of Defense of the United States after January 1, 1960, or a person killed on ordnance delivery. It is not necessary for the purposes of these definitions that capture or death occur during a declared war or as a result of hostile actions;

(2) "Dependent" means a spouse of a prisoner of war or person declared to be missing in action or killed in action or killed on ordnance delivery, or any child born before or during the period of time his or her father served as a prisoner of war, was declared a person missing in action or killed in action on ordnance delivery, or any child adopted or in the legal custody of the father prior to and during the time the father served as a prisoner of war or was declared to be a person missing in action or a person killed in action or a person killed on ordnance delivery; and

(3) "Ordnance delivery" means the piloting of or flying in an experimental or test aircraft while determining its fitness or ability to perform its military function or mission.

(b) The Arkansas Higher Education Coordinating Board and the State Board of Education are directed, authorized, and empowered to promulgate and adopt such rules and regulations as are necessary to implement the provisions of this section.

(c) Any dependent of a prisoner of war or a person declared to be missing in action, or killed in action, or a person killed on ordnance delivery as defined by the provisions of this section, upon his or her being accepted for enrollment into any state-supported institution of higher education or state-supported technical or vocational school in Arkansas, shall be allowed to obtain a bachelor's degree or certificate of completion or, if he or she did not receive any undergraduate education in Arkansas, a graduate or profesional degree, for so long as he or she is eligible, free of tuition, fee, or other charge from such institution or school.

(d) Once a person qualifies as a dependent under the terms and provisions of this section, there shall be no situation such as the return of the father or the reported death of the father, that will remove the dependent from the provisions or benefits of this section.

History. Acts 1973, No. 188, §§ 1-3; A.S.A. 1947, §§ 80-3363 — 80-3365; Acts 1987, No. 72, §§ 1, 2; 1989, No. 759, § 1.

6-82-602. Children of certain veterans having served between September 16, 1940, and December 31, 1946.

(a) Any child of a parent or parents who were killed in action or otherwise died while serving in the military or naval forces of the United States between September 16, 1940, and December 31, 1946, or having been honorably and medically discharged while serving in either branch of the service between those dates and having died before December 31, 1946, who is not otherwise eligible for educational assistance from the federal government, may make application to the Director of the Department of Higher Education for funds necessary for tuition and matriculation fees, board and room, books, and supplies while attending any institution of higher learning of the State of Arkansas.

(b) The director is authorized to prescribe necessary forms, rules, and regulations for the administration of this subchapter.

History. Acts 1965, No. 315, §§ 2, 3.

SUBCHAPTER 7 — ARKANSAS LITERACY CORPS

SECTION.

6-82-701 — 6-82-706. [Repealed.]

6-82-701 — 6-82-706. [Repealed.]

Publisher's Notes. This subchapter, concerning the Arkansas Literacy Corps, was repealed by Acts 2001, No. 1692, § 7. The subchapter was derived from the following sources:

6-82-701. Acts 1989, No. 279, § 1.

6-82-702. Acts 1989, No. 279, § 1.

6-82-703. Acts 1989, No. 279, § 1.

6-82-704. Acts 1989, No. 279, § 1.

6-82-705. Acts 1989, No. 279, § 1.

6-82-706. Acts 1989, No. 279, § 1.

SUBCHAPTER 8 — ARKANSAS NATIONAL GUARD SCHOLARSHIP PROGRAM

SECTION.

6-82-801 — 6-82-819. [Repealed.]

6-82-801 — 6-82-819. [Repealed.]

Publisher's Notes. This subchapter was repealed by Acts 1999, No. 1139, § 1. The subchapter was derived from the following sources:

- 6-82-801. Acts 1989, No. 301, § 1.
- 6-82-802. Acts 1989, No. 301, § 2; 1995, No. 1296, § 37.
- 6-82-803. Acts 1989, No. 301, § 7.
- 6-82-804. Acts 1989, No. 301, § 3.
- 6-82-805. Acts 1989, No. 301, § 4.
- 6-82-806. Acts 1989, No. 301, § 5.
- 6-82-807. Acts 1989, No. 301, § 5.

- 6-82-808. Acts 1989, No. 301, § 5.
- 6-82-809. Acts 1989, No. 301, § 5.
- 6-82-810. Acts 1989, No. 301, § 5.
- 6-82-811. Acts 1989, No. 301, § 5.
- 6-82-812. Acts 1989, No. 301, § 5.
- 6-82-813. Acts 1989, No. 301, § 5.
- 6-82-814. Acts 1989, No. 301, § 6.
- 6-82-815. Acts 1989, No. 301, § 6.
- 6-82-816. Acts 1989, No. 301, § 6.
- 6-82-817. Acts 1989, No. 301, § 6.
- 6-82-818. Acts 1989, No. 301, § 6.
- 6-82-819. Acts 1989, No. 301, § 6.

SUBCHAPTER 9 — ARKANSAS OPPORTUNITY SCHOLARSHIP ACT

SECTION.

6-82-901 — 6-82-906. [Repealed.]

6-82-901 — 6-82-906. [Repealed.]

Publisher's Notes. This subchapter, concerning the Arkansas Opportunity Scholarship Act, was repealed by Acts 2001, No. 1692, § 8. The subchapter was derived from the following sources:

- 6-82-901. Acts 1989, No. 611, § 1.
- 6-82-902. Acts 1989, No. 611, § 2.

- 6-82-903. Acts 1989, No. 611, § 3.
- 6-82-904. Acts 1989, No. 611, § 4; 1993, No. 198, § 1.
- 6-82-905. Acts 1989, No. 611, § 6; 1993, No. 198, § 2.
- 6-82-906. Acts 1989, No. 611, § 6.

SUBCHAPTER 10 — ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM

SECTION.

- 6-82-1001. Legislative findings and declarations of public necessity.
- 6-82-1002. Definitions.
- 6-82-1003. Creation.
- 6-82-1004. Authority of Department of Higher Education.
- 6-82-1005. Eligibility.

SECTION.

- 6-82-1006. Duration — Amount.
- 6-82-1007. Nursing school eligibility.
- 6-82-1008. Awards not funded.
- 6-82-1009. Priority for teaching commitment.
- 6-82-1010. Teaching requirements.

Effective Dates. Acts 1999, No. 858, § 17: Mar. 25, 1999. Emergency clause provided: "It is hereby found and determined by the Eighty-Second General Assembly that in order to provide adequate scholarships and financial assistance to Arkansas high school students graduating

in 1999 that it is necessary to amend the eligibility requirements of the academic challenge scholarship program; that a delay in the effective date of this act could work irreparable harm upon the proper administration of the scholarship program and high school students graduating

in 1999. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2001, No. 1836, § 5: Apr. 30, 2001. Emergency clause provided: "It is found and determined by the General Assembly that the state does not have the funds to

support the Academic Challenge Program in its current form and that applicants graduating after December 31, 2000, will experience uncertainty regarding eligibility for the Academic Challenge Scholarship, and many applicants may be delayed in beginning their post-secondary education unless changes in the scholarship program become effective in sufficient time to allow scholarship awards to be made to those students making enrollment decisions for the 2001-2002 academic year. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on April 30, 2001."

6-82-1001. Legislative findings and declarations of public necessity.

The General Assembly hereby recognizes that taking the proper course work in high school is essential for success in college. Arkansas high school students who complete the recommended precollegiate or technical preparation core curriculum score significantly higher on standardized preadmissions tests and are more likely to be successful in college. Because the State of Arkansas also benefits from the academic success of well-prepared college students, there is hereby established the Arkansas Academic Challenge Scholarship Program, a college scholarship plan to promote academic achievement and encourage academically prepared Arkansas high school graduates to enroll in the state's colleges and universities and to encourage students to enter the field of teaching for the purpose of teaching in subject matter areas of critical teacher shortage or in geographical areas of critical teacher shortage in the state.

History. Acts 1991, No. 352, § 1; 1991, No. 362, § 1; 1993, No. 1170, § 1; 1997, No. 977, § 4; 1999, No. 858, § 11; 2003, No. 1798, § 1.

Amendments. The 1999 amendment deleted "guaranteed" preceding "college scholarship plan" and made stylistic changes.

The 2003 amendment added "and to encourage students...teacher shortage in the state" at the end.

Cross References. Number and geographic distribution of scholarships, § 6-82-308.

6-82-1002. Definitions.

For purposes of this subchapter, the following terms shall be defined as indicated:

(1)(A) "Approved institution" means a public or private college, university, or nursing school located in Arkansas that is approved by the Arkansas State Board of Nursing and only under the conditions

set forth in § 6-82-1007 or accredited by the Commission on Institutions of Higher Education of the North Central Association or that certifies to the Department of Higher Education that its students are accepted for transfer at institutions accredited by the commission.

(B) Furthermore, an approved institution shall not discriminate against applicants, students, or employees on the basis of race, color, religion, sex, age, disability, or national origin, consistent with the provisions of applicable state and federal law;

(2) "Eligible student" means any student who meets the criteria set out by this subchapter and who is deemed to be eligible by rules and regulations authorized by this subchapter and promulgated by the Department of Higher Education;

(3) "Financial need" means the family income of program applicants as determined by the Department of Higher Education through evaluation of program applications and supporting documentation;

(4) "Full-time undergraduate student" means a resident of Arkansas who attends an approved institution of higher education and who is enrolled for at least twelve (12) credit hours the first semester and fifteen (15) hours thereafter or the equivalent, as defined by the Department of Higher Education, in a program of study that leads to or is creditable toward a baccalaureate degree, an associate degree in nursing, or a nursing school diploma;

(5) "Recipient" means an applicant awarded a scholarship funded through the Arkansas Academic Challenge Scholarship Program;

(6) "Tuition" means charges levied for attendance at an eligible institution of higher education, including mandatory fees charged to all full-time students by an approved institution; and

(7) "Unemancipated child" or "unemancipated children" means a dependent child or dependent children as defined by the United States Department of Education for student aid purposes.

History. Acts 1991, No. 352, § 3; 1991, No. 362, § 3; 1997, No. 208, § 4; 1999, No. 858, §§ 1, 2; 2001, No. 1664, § 1; 2001, No. 1836, § 1.

A.C.R.C. Notes. Acts 1997, No. 208, § 1, codified as § 22-4-408, provided: "Legislative intent and purpose. The General Assembly hereby acknowledges that many of the laws relating to individuals with disabilities are antiquated, functionally outmoded, derogatory, ambiguous or are inconsistent with more recently enacted provisions of the law. Consequently, it is the intent of the General Assembly and the purpose of this act to clarify the relevant chapters of Titles 1, 6, 9, 13, 14, 16, 17, 20, 22, 23, and 27 of the Arkansas Code Annotated of 1987."

Publisher's Notes. This section was amended by Acts 2001, Nos. 1664 and 1836. The amendment by Acts 2001, No.

1836 was deemed to have superseded the amendment by Acts 2001, No. 1664.

As amended by Acts 2001, No. 1664, this section was amended to read as follows: "For purposes of this subchapter, the following terms shall be defined as indicated:

"(1) 'Approved institution' means a public or private college, university, or nursing school located in Arkansas that is approved by the Arkansas State Board of Nursing and only under the conditions set forth in § 6-82-1007 or accredited by the Commission on Institutions of Higher Education of the North Central Association or which certifies to the Department of Higher Education that its students are accepted for transfer at institutions accredited by the Commission on Institutions of Higher Education of the North Central Association. Furthermore, the in-

stitution shall not discriminate against applicants, students, or employees on the basis of race, color, religion, sex, age, disability, or national origin, consistent with the provisions of applicable state and federal law;

“(2) ‘Eligible student’ means any student who meets the criteria set out by this subchapter and who is deemed to be eligible by rules and regulations authorized by this subchapter and promulgated by the Department of Higher Education;

“(3) ‘Financial need’ means the family income of program applicants as determined by the Department of Higher Education through evaluation of program applications and supporting documentation;

“(4) ‘Full-time undergraduate student’ means a resident of Arkansas who attends an approved institution of higher education and is enrolled for at least twelve (12) credit hours per semester or the equivalent, as defined by the Department of Higher Education, in a program of study which leads to or is creditable toward a baccalaureate degree, an associate degree in nursing, or a nursing school diploma;

“(5) ‘Tuition’ means charges levied for attendance at an eligible institution of higher education. For purposes of this subchapter, tuition charges shall not include any fees charged or used for student activities, including any student athletic fee; and

“(6) ‘Unemancipated child’ or ‘unemancipated children’ means a dependent child or dependent children as defined by the United States Department of Education for student aid purposes.”

Amendments. The 1999 amendment added (6); and made minor punctuation changes.

The 2001 amendment by No. 1664 rewrote (1); realphabetized the subdivisions; and added “an associate degree in nursing, or a nursing school diploma” at the end of (4).

The 2001 amendment by No. 1836 added the subdivision designations in (1); realphabetized the subdivisions; rewrote present (4) and (6); inserted present (5); and made minor stylistic changes throughout.

6-82-1003. Creation.

There is hereby created and established the Arkansas Academic Challenge Scholarship Program.

History. Acts 1991, No. 352, § 2; 1991, No. 362, § 2; 2001, No. 1836, § 2.

Amendments. The 2001 amendment deleted the last sentence.

6-82-1004. Authority of Department of Higher Education.

(a) The Department of Higher Education is authorized by this subchapter to develop and promulgate rules and regulations for the administration of the Arkansas Academic Challenge Scholarship Program, consistent with the purposes and requirements of this subchapter.

(b) The rules and regulations shall include student eligibility criteria based on the provisions of this subchapter, the method for selecting scholarship recipients, rules for determining continuing eligibility, procedures for making payment to recipients, and such other administrative procedures which may be necessary for the implementation and operation of the program.

(c) The Department of Higher Education is authorized to expend each year for data processing and other administrative costs of this program up to one and five-tenths percent (1.5%) of the amount appropriated for the programs.

(d) Applicants must certify that they are drug-free and must pledge in writing on the application form to refrain from the use or abuse of illegal substances in order to maintain eligibility for this program.

(e)(1) The Department of Education and the Department of Higher Education are directed to develop appropriate informational materials on the Arkansas Academic Challenge Scholarship Program and to ensure their distribution to Arkansas students in grades seven through twelve (7—12) each year as part of the packet of materials on precollegiate preparation distributed by the Department of Education as mandated by § 6-61-217.

(2) This shall be accomplished through the use of school counselors or other appropriate school personnel.

(f) The Director of the Department of Higher Education is authorized to review and evaluate the operation of the program with regard to eligibility criteria and size of the scholarship award to ensure that the program's operation meets the intent of this legislation.

(g) The Department of Higher Education is authorized to determine the necessary procedures for the awarding of scholarships should the number of eligible applicants exceed the funds available.

History. Acts 1991, No. 352, § 6; 1991, No. 362, § 6; 1992 (1st Ex. Sess.), No. 47, § 4; 1993, No. 1170, § 2; 1999, No. 858, §§ 3, 12.

Publisher's Notes. Acts 1992 (1st Ex. Sess.), No. 47, § 1, provided: "The General Assembly hereby recognizes the importance of providing scholarship assistance to the children of middle class Arkansas families, particularly for those who meet the academic requirements of the Arkansas Academic Challenge Scholarship Program, a guaranteed college scholarship plan to promote academic achievement and encourage academically prepared Ar-

kansas high school graduates to enroll in the state's colleges and universities which was created by the 1991 General Assembly."

Amendments. The 1999 amendment, in (e)(1), substituted "grades seven through twelve (7 - 12)" for "grades kindergarten through twelve (K - 12)," deleted "and technical" preceding "preparation" and substituted "§ 6-61-217" for "§§ 6-61-111, 6-61-217, 6-61-218, and 6-18-101(b)(2)"; added "or other appropriate school personnel" in (e)(2); added (g); and made stylistic changes.

6-82-1005. Eligibility.

(a) Eligibility for the Arkansas Academic Challenge Scholarship Program shall be based on the criteria set forth in this section as well as program rules and regulations adopted pursuant to this subchapter by the Department of Higher Education.

(b) An applicant shall be eligible for an award from this program if the applicant meets all of these criteria:

(1) The applicant graduated from an Arkansas high school on or after March 5, 1991;

(2) The applicant has been a resident of the State of Arkansas for at least twelve (12) months prior to graduation from an Arkansas high school, and the applicant's parent or parents or guardian or guardians have maintained Arkansas residency for the same period of time;

(3) The applicant is a citizen of the United States or is a permanent resident alien;

(4) The applicant is accepted for admission at an approved institution of higher education as a full-time first-time freshman as defined by the department and enrolls in an approved institution within twelve (12) months of the applicant's high school graduation;

(5)(A)(i) Except as provided in subdivision (b)(5)(B) of this section, the applicant has successfully completed the core curriculum established by the State Board of Education and the Arkansas Higher Education Coordinating Board pursuant to § 6-61-217.

(ii) An applicant who graduates from an Arkansas high school after December 31, 2001, and who meets the provisions of subdivisions (b)(1)-(4) of this section but who has not completed the core curriculum defined in subdivision (b)(5)(A) of this section by the end of the senior year of high school due to the unavailability of the courses in the applicant's high school shall have a grace period of twelve (12) months from the date of high school graduation in which to make up any course deficiencies required for program eligibility; and

(B)(i) The applicant has demonstrated proficiency in the application of knowledge and skills in reading and writing literacy and mathematics by passing the end-of-course examinations as may be developed by the Department of Education and as may be designated by the Department of Higher Education for this purpose.

(ii) "End-of-course" examinations shall mean those examinations defined in § 6-15-419(9);

(6)(A) The applicant who graduates from an Arkansas high school after December 31, 2001, must have achieved the following:

(i) A grade point average of 3.0 on a 4.0 scale in the set of core curriculum courses if enrolling at an approved four-year institution; or

(ii) A grade point average of 2.75 on a 4.0 scale in the set of core curriculum courses if enrolling at an approved two-year institution.

(iii)(a) These revised grade point average requirements may be reduced to no lower than a 2.5 on a 4.0 scale by a rules change by the Department of Higher Education if it is determined by the department, based on the most recent evaluation of the program's operation, that the change to a 3.0 or 2.75 grade point average on a 4.0 scale would unduly reduce the number of low-income or disadvantaged students who would otherwise be eligible for the program.

(b) At the Department of Higher Education's discretion, the Department of Higher Education may make such a reduction for admissions to institutions with a high percentage of students receiving full Pell grants upon petition to the Department of Higher Education by the institution.

(B) The applicant scored nineteen (19) or above on the American College Test composite or the equivalent as defined by the Department of Higher Education.

(C)(i) The Department of Higher Education is authorized to develop selection criteria through program rules and regulations that combine an applicant's American College Test or equivalent score and grade point average in the core curriculum into a selection index.

(ii) Notwithstanding the provisions of subdivisions (b)(6)(A) and (b)(6)(B) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average above 2.75 if attending an approved two-year institution or 3.0 if attending a four-year institution on a 4.0 scale in the set of core curriculum courses defined in subdivision (b)(5)(A) of this section or for applicants who have an American College Test composite or equivalent score greater than nineteen (19).

(D)(i) The applicant demonstrates financial need as defined by the department.

(ii) In calculating financial need for applicants who graduate from an Arkansas high school after December 31, 1998, but before January 1, 2001, the following criteria shall be used:

(a) An applicant whose family includes one (1) unemancipated child shall have average family adjusted gross income over the previous two (2) years not exceeding seventy thousand dollars (\$70,000) per year at the time of application to the program;

(b) An applicant whose family includes two (2) unemancipated children shall have average family adjusted gross income over the previous two (2) years not exceeding seventy-five thousand dollars (\$75,000) per year at the time of application to the program;

(c) An applicant whose family includes three (3) or more unemancipated children shall have average family adjusted gross income over the previous two (2) years not exceeding eighty thousand dollars (\$80,000) per year at the time of application to the program, plus for families with more than three (3) unemancipated children, an additional five thousand dollars (\$5,000) per year for each additional child;

(d) Any applicant whose family includes more than one (1) unemancipated child enrolled full time at an approved institution of higher education shall be entitled to an additional ten thousand dollars (\$10,000) of adjusted gross income for each additional child when the department calculates financial need; and

(e) If the applicant is an adopted child who was at least twelve (12) years of age at the time of adoption and if the applicant's family includes unemancipated adopted children who were at least twelve (12) years of age at the time of adoption, the adoptive family shall be entitled to an additional ten thousand dollars (\$10,000) of adjusted gross income per adopted unemancipated child.

(iii) In calculating financial need for applicants who graduate from an Arkansas high school after December 31, 2000, the following criteria shall be used:

(a) An applicant whose family includes one (1) unemancipated child shall have average family adjusted gross income over the

previous two (2) years not exceeding fifty thousand dollars (\$50,000) per year at the time of application to the program;

(b) An applicant whose family includes two (2) unemancipated children shall have average family adjusted gross income over the previous two (2) years not exceeding fifty-five thousand dollars (\$55,000) per year at the time of application to the program;

(c) An applicant whose family includes three (3) or more unemancipated children shall have average family adjusted gross income over the previous two (2) years not exceeding sixty thousand dollars (\$60,000) per year at the time of application to the program, plus for families with more than three (3) unemancipated children, an additional five thousand dollars (\$5,000) per year for each additional child; and

(d) Any applicant whose family includes more than one (1) unemancipated child enrolled full time at an approved institution of higher education shall be entitled to an additional ten thousand dollars (\$10,000) of adjusted gross income for each additional child when the department calculates financial need.

(c)(1) The Arkansas Higher Education Coordinating Board shall have the authority to increase these financial need family income limitations if sufficient additional funds become available.

(2) Financial need criteria necessary for the selection of recipients, including those defined as emancipated or independent by federal student aid regulations, shall be established through rules and regulations issued by the department.

(d) Recipients of Arkansas Governor's Distinguished Scholarships are prohibited from receiving Academic Challenge Scholarships.

History. Acts 1991, No. 352, § 4; 1991, No. 362, § 4; 1991, No. 733, §§ 1, 2; 1992 (1st Ex. Sess.), No. 47, §§ 2, 3; 1993, No. 1170, § 3; 1993, No. 1244, §§ 1, 2; 1995, No. 1296, § 38; 1997, No. 977, § 5; 1999, No. 858, §§ 4-9; 2001, No. 1836, § 3.

A.C.R.C. Notes. Pursuant to § 1-2-207 this section is set out above as amended by Acts 1993, No. 1170, § 3 and No. 1244, §§ 1 and 2. Acts 1993, No. 720, § 1 also amended this section, in part, by adding a subsection (f) which read: "Students who meet the provisions of subdivisions (b)(1)(A)-(C) and who have completed the technical preparation core curriculum as established by § 6-18-101(c)(2) [now § 6-18-101 (b)(2)], but have not completed courses equivalent to those in the precollegiate core curriculum defined in subdivision (b)(1)(E), shall be eligible to receive scholarship funds for one (1) semester to remove the course deficiencies. Failure by the student to remove these deficiencies by the end of the semester

shall result in the student forfeiting any future eligibility for the Academic Challenge Scholarship Program. The provisions of this subsection shall remain in effect until the end of the 1996-97 academic year."

Publisher's Notes. Acts 1992 (1st Ex. Sess.), No. 47, § 1, provided: "The General Assembly hereby recognizes the importance of providing scholarship assistance to the children of middle class Arkansas families, particularly for those who meet the academic requirements of the Arkansas Academic Challenge Scholarship Program, a guaranteed college scholarship plan to promote academic achievement and encourage academically prepared Arkansas high school graduates to enroll in the state's colleges and universities which was created by the 1991 General Assembly."

Amendments. The 1999 amendment substituted "within twelve (12) months" for "within twenty-four (24) months" in

(b)(1)(A), (b)(1)(D) and (e); substituted "Arkansas Higher Education Coordinating Board" for "State Board of Higher Education" in (b)(1)(E) and (f); substituted "§ 6-61-217" for "§§ 6-61-111, 6-61-217,

and 6-61-218" in (b)(1)(E); rewrote (b)(3); and made stylistic changes.

The 2001 amendment rewrote this section.

6-82-1006. Duration — Amount.

(a) A recipient who graduated from high school before January 1, 2001, shall receive a scholarship for one (1) academic year renewable for up to three (3) additional academic years if the recipient meets continuing eligibility criteria established by the Department of Higher Education and if sufficient funds are available for that purpose.

(b) A recipient who graduated from high school after December 31, 2000, shall receive a scholarship for one (1) academic year renewable for up to three (3) additional academic years if the recipient meets the following continuing eligibility criteria:

(1) The recipient earns a cumulative grade point average of 2.75 or above on a 4.0 scale at an approved institution;

(2) The recipient has completed a total of at least twenty-seven (27) hours during the first full academic year and a total of at least thirty (30) hours per academic year thereafter;

(3) If the student is entering the junior year, the student has taken the standardized rising junior test provided for in § 6-61-114; and

(4) The recipient meets any other continuing eligibility criteria established by the department.

(c)(1) For recipients who graduated from high school between January 1, 1995, and December 31, 1996, the amount of the annual scholarship awarded to each recipient shall be the lesser of one thousand five hundred dollars (\$1,500) or the annual tuition charged by the approved institution in which the recipient is enrolled.

(2) For recipients who graduated from high school between January 1, 1997, and December 31, 1998, the amount of the annual scholarship awarded to each recipient shall be the lesser of two thousand five hundred dollars (\$2,500) or the annual tuition charged by the approved institution in which the recipient is enrolled.

(3) For recipients who graduated from high school after December 31, 1998, the amount of the annual scholarship awarded to each recipient shall be two thousand five hundred dollars (\$2,500).

(4) For recipients who graduated from high school after December 31, 2001, the amount of the annual scholarship awarded to each recipient shall be graduated as follows:

(A) A recipient in his or her freshman year shall be awarded an amount not to exceed two thousand dollars (\$2,000);

(B) A recipient in his or her sophomore year shall be awarded an amount not to exceed two thousand two hundred fifty dollars (\$2,250);

(C) A recipient in his or her junior year shall be awarded an amount not to exceed two thousand five hundred dollars (\$2,500); and

(D) A recipient in his or her senior year shall be awarded an amount not to exceed three thousand dollars (\$3,000).

History. Acts 1991, No. 352, § 5; 1991, No. 362, § 5; 1995, No. 188, §§ 1, 2; 1995, No. 228, §§ 1, 2; 1997, No. 488, § 1; 1999, No. 858, §§ 10, 13; 2001, No. 1553, § 16; 2001, No. 1836, § 4; 2003, No. 1798, § 2.

A.C.R.C. Notes. As amended by identical Acts 1995, Nos. 188 and 228, subdivision (c)(1) began: "Beginning with new recipients in the 1995-1996 academic year."

Amendments. The 1999 amendment rewrote (b) and (c); deleted the last sentence in (d); and made stylistic changes.

The 2001 amendment by No. 1553 inserted "on a 4.0 scale" in (b)(3)(A)-(C).

The 2001 amendment by No. 1836 rewrote this section.

The 2003 amendment deleted "new" preceding "recipients" in (c)(3); and added (c)(4).

6-82-1007. Nursing school eligibility.

(a)(1) The General Assembly recognizes that the State of Arkansas is experiencing a critical shortage of nurses; and

(2) It is the intent of this section to allow the Department of Higher Education the opportunity to include associate degree granting and diploma schools of nursing in the Arkansas Academic Challenge Scholarship Program under specific circumstances.

(b) The department shall make awards to applicants attending either an associate degree or diploma school preparing registered nurses that is approved by the Arkansas State Board of Nursing and which would not otherwise be an approved institution of higher education if:

(1) The applicant has qualified for an Arkansas Academic Challenge Scholarship and is simultaneously enrolled in an approved two-year college or a four-year college or university prior to or at the time of entry into the nursing school and the applicant then transfers the scholarship to an approved school of nursing after completing the two-year requirements as set forth by the department's rules and regulations;

(2) The nursing school has been approved by the Arkansas State Board of Nursing and is specifically recognized by the department as a school of nursing eligible to participate in the Arkansas Academic Challenge Scholarship Program; and

(3) The recipient meets continuing eligibility requirements in § 6-82-1006.

(c) The scholarships awarded to recipients under this section shall be subject to § 6-18-1004(g).

(d) The Arkansas Higher Education Coordinating Board and the department shall promulgate regulations necessary for the implementation of this section.

History. Acts 2001, No. 1664, § 2.

6-82-1008. Awards not funded.

(a)(1) Any applicant who graduated after December 31, 2001, who was eligible to receive an academic challenge award but did not receive

the award because of insufficient funding in the program may be eligible to receive an award to begin in a year other than the freshman year.

(2) Any student enrolled in an institution of higher education must have achieved at least a 2.0 cumulative grade point average to be eligible for a deferred award.

(b) The Arkansas Higher Education Coordinating Board and the Department of Higher Education shall promulgate regulations necessary for the implementation of this section.

(c) Any award made under this section shall have funding priority as follows:

(1) Awards shall be made first to individuals who made application prior to the original deadline during the individual's senior year in high school, received an award letter from the department but did not receive an award because of insufficient funding, and are now eligible under this section;

(2) Awards shall be made, second, to the current-year high school graduates who are for the first time eligible to receive an Arkansas Academic Challenge Award; and

(3) If sufficient funds are available after funding awards under subdivisions (c)(1) and (c)(2) of this section, awards may be made to individuals who did not apply during their senior year in high school but would have been eligible if the individuals had applied prior to that year's deadline and who are now eligible under this section.

History. Acts 2003, No. 1798, § 3.

6-82-1009. Priority for teaching commitment.

(a) During times of funding shortages under the Arkansas Academic Challenge Scholarship Program, the Department of Higher Education shall give a priority to awards to applicants meeting all eligibility requirements under the program who agree to accept a forgivable loan, as set forth in this section in lieu of a scholarship, and who agree to:

(1) Teach, as required under § 6-82-1010, in a subject matter area designated by the Department of Education as having a critical shortage of teachers; or

(2) Teach, as required under § 6-82-1010, in a geographical area of the state designated by the Department of Education as having a critical shortage of teachers.

(b) The Department of Higher Education shall make awards under this subchapter as follows:

(1) First, to applicants who agree to the provisions of § 6-82-1009; and

(2) Second, to applicants eligible under § 6-82-1005(b).

(c) Forgivable loans awarded under this section shall be paid from appropriations to the program.

History. Acts 2003, No. 1798, § 4.

6-82-1010. Teaching requirements.

(a)(1) At the beginning of the first school year in which a recipient of a forgivable loan under § 6-82-1009 is eligible for employment as a licensed teacher, that recipient shall begin to render service as a licensed teacher in a public school district in the state:

(A) In a subject matter area designated by the Department of Education as having a critical shortage of teachers if the recipient's award was made under § 6-82-1009(a)(1); or

(B) In a geographical area of the state designated by the Department of Education as having a critical shortage of teachers if the recipient's award was made under § 6-82-1009(a)(2).

(2)(A) Any recipient receiving a forgivable loan under § 6-82-1009 who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render four (4) years' service as a licensed teacher.

(B) Any person who received a forgivable loan under § 6-82-1009 in an amount less than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) year's service as a licensed teacher for each year that the person received a full-time student forgivable loan or for the number of academic hours equivalent to one (1) school year, as determined by the Department of Higher Education, for which a part-time student received a forgivable loan.

(b) Any person receiving a forgivable loan shall execute a note made payable to the Department of Higher Education for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Department of Higher Education and set forth in the note after completion of the program or immediately after termination of the forgivable loan, whichever is earlier.

(c) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the terms of the note for the sum of all forgivable loan awards made to that person less the corresponding amount of any awards for which service has been rendered.

(d)(1)(A) Except as provided in subdivision (d)(1)(B) of this section, any person failing to complete the teaching obligation as required by this subchapter shall become immediately liable to the Department of Higher Education for the sum of all forgivable loan awards made to that person less the corresponding amount of any awards for which service has been rendered according to the note's terms.

(B) The Department of Higher Education may defer payment on the note if an employment position is not immediately available upon a teacher's completion of licensure requirements or for other just cause as determined by the Department of Education.

(C) After the period of deferral, the person shall begin or resume teaching duties as required under this section or shall become liable to the Department of Higher Education under this section.

(e) If a claim for payment under this section is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(f) The obligations made by the recipient of a forgivable loan under § 6-82-1009 and this section shall not be voidable by reason of the age of the student at the time of receiving the forgivable loan award.

History. Acts 2003, No. 1798, § 5.

SUBCHAPTER 11 — SECOND EFFORT SCHOLARSHIP PROGRAM

SECTION.

6-82-1101. Creation — Purpose.

6-82-1102. Definitions.

6-82-1103. Eligibility — Number of scholarships.

SECTION.

6-82-1104. Amount and duration of scholarship — Funding.

6-82-1105. Rules and regulations — Review — Certified list.

Publisher's Notes. Acts 1991, No. 705, § 6, provided: "It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget man-

uals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption."

A.C.R.C. Notes. References to "this chapter" in subchapters 1-6 and 16 may not apply to this subchapter which was enacted subsequently.

6-82-1101. Creation — Purpose.

The General Assembly hereby recognizes the importance to Arkansas of the General Educational Development Program for Arkansans desiring to complete the high school degree and go on to postsecondary education. Arkansas students who complete the General Educational Development Program and pass the General Educational Development Test are commended for their initiative and persistence. Those who succeed in this endeavor should also be encouraged to enroll in a postsecondary education program. To that end, there is hereby established the Second Effort Scholarship Program to reward the top ten (10) scorers each year on the General Educational Development Test with a scholarship to an Arkansas postsecondary school or college.

History. Acts 1991, No. 705, § 1; 1991, No. 717, § 1.

6-82-1102. Definitions.

For purposes of this subchapter, the following terms shall be defined as indicated:

(1) "Approved institution" means any public or private school or college or any public postsecondary vocational and technical school located in Arkansas which awards postsecondary certificates, degrees, or diplomas. Further, such institution shall not discriminate against applicants, students, or employees on the basis of race, color, religion, sex, age, disability, or national origin, consistent with the provisions of applicable state and federal law;

(2) "Undergraduate student" means a resident of Arkansas who attends a postsecondary school or college and is enrolled for at least three (3) credit hours per semester or the equivalent, as defined by the Department of Higher Education, in a program of study which leads to a postsecondary certificate, degree, or diploma;

(3) "Eligible student" means any student who meets the criteria set out in this subchapter and is deemed to be eligible by rules and regulations authorized by this subchapter and promulgated by the Department of Higher Education;

(4)(A) "Tuition" means charges levied for attendance at an eligible institution.

(B) For purposes of this subchapter, tuition charges shall not include any fees charged or used for student activities, including any student athletic fee.

History. Acts 1991, No. 705, § 2; 1991, No. 717, § 2; 1995, No. 259, § 1; 1995, No. 262, § 1; 1997, No. 208, § 5.

A.C.R.C. Notes. Acts 1997, No. 208, § 1, codified as § 22-4-408, provided: "Legislative intent and purpose. The General Assembly hereby acknowledges that many of the laws relating to individuals with disabilities are antiquated, function-

ally outmoded, derogatory, ambiguous or are inconsistent with more recently enacted provisions of the law. Consequently, it is the intent of the General Assembly and the purpose of this act to clarify the relevant chapters of Titles 1, 6, 9, 13, 14, 16, 17, 20, 22, 23, and 27 of the Arkansas Code Annotated of 1987."

6-82-1103. Eligibility — Number of scholarships.

(a) Eligibility for the Second Effort Scholarship Program shall be based on the criteria set forth in this section as well as program rules and regulations adopted pursuant to this subchapter by the Department of Higher Education.

(b) A student shall be eligible for an award from this program if he or she meets all of these criteria:

(1) The recipient shall be at least eighteen (18) years of age or a former member of a high school class which has graduated;

(2) The recipient shall have been a resident of the State of Arkansas for at least twelve (12) months prior to successful completion of the General Educational Development Test;

(3) The recipient must be a citizen of the United States or be a permanent resident alien;

(4) The recipient must be accepted for admission at an approved postsecondary school or college as a freshman, as defined by the Department of Higher Education, and must enroll in an approved

institution within eighteen (18) months following passage of the General Educational Development Test;

(5) The recipient must have passed the General Educational Development Test in the calendar year prior to application for the scholarship; and

(6)(A) The recipient must have scored in the top ten (10) of all Arkansans who took the General Educational Development Test in the calendar year prior to application for the scholarship, beginning with test-takers in 1991, as certified to the Department of Higher Education by the Adult Education Section of the Department of Workforce Education.

(B) Provided, however, that the Department of Higher Education is authorized to award a General Educational Development scholarship to an otherwise eligible student who scored in the top twenty-five (25) on the previous calendar year's General Educational Development Test if all test-takers scoring above the applicant on the General Educational Development Test:

- (i) Have either received a scholarship;
- (ii) Have not applied by the application deadline; or
- (iii) Are otherwise ineligible to receive a scholarship.

(c) In no case, however, shall the Department of Higher Education award more than ten (10) scholarships per year.

History. Acts 1991, No. 705, § 3; 1991, No. 717, § 3; 1995, No. 259, § 2; 1995, No. 262, § 2; 1999, No. 1323, § 45.

Amendments. The 1999 amendment

substituted "Adult Education Section of the Department of Workforce Education" for "Office of Adult Education" in (b)(6)(A).

6-82-1104. Amount and duration of scholarship — Funding.

(a) Each recipient shall receive a scholarship for one (1) academic year or its equivalent for part-time students, as defined by the Department of Higher Education. The scholarship shall be renewable for up to three (3) academic years, or their equivalent for part-time students, if the recipient meets continuing eligibility criteria established by the department.

(b)(1) The amount of the annual scholarship shall be the lesser of one thousand dollars (\$1,000) or the annual tuition charged by the approved institution in which the recipient is enrolled.

(2) For part-time students who are recipients, the amount of the annual scholarship shall be prorated on the basis of the number of credit hours enrolled each term such that the recipient receives the maximum equivalent of two hundred fifty dollars (\$250) per three (3) credit hours each term up to a maximum of one thousand dollars (\$1,000).

(3) Tuition shall mean the charges defined in § 6-82-1102(4).

(c) Scholarships shall be awarded to eligible recipients contingent on the appropriation of funds for this purpose to the department.

History. Acts 1991, No. 705, § 4; 1991, No. 717, § 4; 1995, No. 259, § 3; 1995, No. 262, § 3.

6-82-1105. Rules and regulations — Review — Certified list.

(a) The Department of Higher Education is authorized by this subchapter to develop and promulgate rules and regulations for the administration of this program, consistent with the purposes and requirements of this subchapter.

(b) The rules and regulations shall include:

(1) Student eligibility criteria based on the provisions of this subchapter;

(2) The method for selecting scholarship recipients;

(3) Rules for determining continuing eligibility;

(4) Procedures for making payment to recipients; and

(5) Such other administrative procedures which may be necessary for the implementation and operation of the program.

(c) The Director of the Department of Higher Education is authorized to review and evaluate the operation of the program to ensure that the program’s operation meets the intent of this legislation.

(d) Beginning in 1992, the Adult Education Section of the Department of Workforce Education is directed to provide to the Department of Higher Education by February 1 each year a certified list of the twenty-five (25) top scorers on the General Educational Development Test administered in the previous calendar year.

History. Acts 1991, No. 705, § 5; 1991, No. 717, § 5; 1999, No. 1323, § 46.

Amendments. The 1999 amendment substituted “Adult Education Section of

the Department of Workforce Education” for “Office of Adult Education” in (d); and made minor punctuation changes.

SUBCHAPTER 12 — LAW ENFORCEMENT OFFICERS

SECTION.

6-82-1201. Purpose.

6-82-1202. Arkansas Police Corps Planning Commission.

6-82-1203. [Repealed.]

SECTION.

6-82-1204. Administration.

6-82-1205. Purpose.

6-82-1206. Administration of the Arkansas Police Corps Program.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-81-1201 to 6-81-1204 may not apply to §§ 6-81-1205 and 6-81-1206, which were enacted subsequently.

References to “this chapter” in subchapters 1-6 and 16 may not apply to this subchapter which was enacted subsequently.

Effective Dates. Acts 1997, No. 1203, § 8: Apr. 8, 1997. Emergency clause provided: “It is found and determined by the General Assembly of the State of Arkan-

sas that the Arkansas Police Corps Program and Police Corps Scholarship Program, which are operated in large part under federal grants, do not conform with federal requirements and that failure to take immediate appropriate action could work irreparable harm upon the proper administration and provision of these programs. Therefore an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall be-

come effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

Acts 2003, No. 1296, § 3: Apr. 14, 2003. Emergency clause provided: "It is found and determined by the General Assembly of the State of Arkansas that it is necessary to designate a lead agency for purposes of obtaining federally funded scholarships under the Arkansas Police Corps

Program; that this act establishes the lead agency; and that this act should go into effect immediately in order to be eligible for the federal funds as soon as possible. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on: (1) The date of its approval by the Governor; (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

6-82-1201. Purpose.

It is the purpose of this subchapter to establish the Arkansas Police Corps Planning Commission for the purpose of undertaking the necessary planning and other actions required to enable Arkansas to participate in the federal police corps program.

History. Acts 1991, No. 875, § 1; 1997, No. 1203, § 1; 2001, No. 1692, § 11.

Amendments. The 2001 amendment deleted (1); substituted "to establish the Arkansas Police Corps Planning Commission" for former (2), which read: "To establish the Arkansas Police Corps Program, including the creation of a commission

authorized to promulgate the necessary rules and regulations to implement a police corps program in Arkansas"; deleted (3); redesignated former (4) as part of the introductory language; and substituted "for the purpose of undertaking" for "To undertake" in the introductory language.

6-82-1202. Arkansas Police Corps Planning Commission.

(a) There is hereby established the Arkansas Police Corps Planning Commission.

(b) The commission shall be appointed by the Governor and shall have eleven (11) members:

- (1) The Director of the Department of Higher Education;
- (2) The Director of the Department of Arkansas State Police;
- (3) The Director of the Arkansas Law Enforcement Training Academy;
- (4) A representative of the Arkansas Municipal Police Association;
- (5) A representative of the Arkansas Sheriffs Association;
- (6) A representative of the Arkansas Police Chiefs Association;
- (7) Two (2) faculty members or administrators from institutions of higher education with accredited criminal justice programs;
- (8) Two (2) higher education financial aid administrators; and
- (9) One (1) active certified law enforcement officer.

(c)(1) The Director of the Criminal Justice Institute or the director's designee shall serve as an ex officio member and as chair of the commission.

(2) The commission shall meet at the call of the chair.

(d) Should the federal government create a national police corps program, the commission shall be the entity designated to administer the state's participation in the federal program.

History. Acts 1991, No. 875, § 2; 1993, No. 315, § 1; 1997, No. 1203, § 2; 1999, No. 1223, § 1; 2001, No. 1692, § 11.

A.C.R.C. Notes. As enacted, (b) provided that the commission be appointed by the Governor effective July 1, 1991.

As originally amended by Acts 1993, No. 315, § 1, subsection (c) also provided, in part, that the state implementation plan shall be based on results of a survey of Arkansas law enforcement agencies, to be completed by January 1, 1992, regarding projected manpower needs over a five-year period, and that the plan's rules and regulations are to be promulgated by the commission no later than January 1, 1992."

As originally amended by Acts 1993, No. 315, § 1, this section also provided, in part, that: "Based on available funding, a minimum of fifty (50) Police Corps Scholarships shall be awarded no later than June 30, 1993, for part-time study at an approved Arkansas institution of higher education."

Amendments. The 1999 amendment inserted "or the director's designee" in (c); added (c)(2); and made stylistic changes.

The 2001 amendment substituted "chair" for "chairman" in (c); and deleted (d)-(f) and redesignated the remaining subsection accordingly.

6-82-1203. [Repealed.]

Publisher's Notes. This section, concerning the awarding of scholarships, was repealed by Acts 2001, No. 1692, § 11. The

section was derived from Acts 1991, No. 875, § 3; 1993, No. 315, § 2; 1997, No. 1203, § 3.

6-82-1204. Administration.

(a) The Arkansas Police Corps Planning Commission is hereby designated as the state agency responsible for implementing any federal law enforcement scholarship program which may be established.

(b) The commission shall have authority to promulgate rules and regulations necessary for the administration and operation of any such program in the State of Arkansas.

History. Acts 1991, No. 875, § 4; 2001, No. 1692, § 11.

Publisher's Notes. The provisions of this section may be affected by § 6-82-1206.

Amendments. The 2001 amendment

deleted (a) and redesignated the remaining subsections accordingly; and substituted "Arkansas Police Corps Planning Commission" for "commission" in present (a).

6-82-1205. Purpose.

The purpose of this section and § 6-82-1206 is to establish the lead agency and its authority over the Arkansas Police Corps Program, a federally funded scholarship program designed to employ college-

educated police officers in local and state law enforcement agencies and to foster the development and growth of community policing efforts throughout Arkansas.

History. Acts 2003, No. 1296, § 1.

may not apply to this section, which was enacted subsequently.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-82-1201 — 6-82-1204

6-82-1206. Administration of the Arkansas Police Corps Program.

(a) The Department of Criminal Justice at the University of Arkansas at Little Rock is designated as the state lead agency responsible for implementing any federal scholarships or training programs that fall under the umbrella of the Police Corps Act, Title XX, Subtitle A of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14091-14102.

(b) The department may promulgate rules and regulations necessary for the administration and operation of any such programs in the State of Arkansas, including the creation of the Police Corps Advisory Group, which shall:

(1) Serve as the body to review policies imposed by the federal government and the rules and regulations developed by the department for the Arkansas Police Corps Program;

(2) Serve as the selection committee for program participants;

(3) Serve as the body to establish eligibility requirements for the program, within the parameters set by the federal government;

(4) Serve as the body to establish the participant removal procedures for the program;

(5) Serve as the appeals committee for the program, should a training participant be removed for any reason; and

(6) Perform all other duties as needed.

(c) The chair of the department, who serves as the Director of the Arkansas Police Corps Program, or the director’s designee shall serve as an ex officio member and as chair of the advisory group.

(d) Neither the director nor the director’s designee shall sit on any appeals panel in cases involving removal of participants from the program.

(e) The advisory group shall meet at the call of the chair.

History. Acts 2003, No. 1296, § 2.

may not apply to this section, which was enacted subsequently.

A.C.R.C. Notes. References to “this subchapter” in §§ 6-82-1201 — 6-82-1204

SUBCHAPTER 13 — DELTA REGION SCHOLARSHIP PROGRAM

SECTION.

6-82-1301 — 6-82-1303. [Repealed.]

6-82-1301 — 6-82-1303. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Delta Region Scholarship Program, was repealed by Acts 2001, No. 1692, § 9. The subchapter was derived from the following sources:

- 6-82-1301. Acts 1995, No. 1237, § 1.
- 6-82-1302. Acts 1995, No. 1237, § 2.
- 6-82-1303. Acts 1995, No. 1237, § 3.

SUBCHAPTER 14 — HONORS COLLEGE SCHOLARSHIP PROGRAM

SECTION.

6-82-1401 — 6-82-1403. [Repealed.]

6-82-1401 — 6-82-1403. [Repealed.]

Publisher’s Notes. This subchapter, concerning the Honors College Scholarship Program, was repealed by Acts 2001, No. 1692, § 10. The subchapter was derived from the following sources:

- 6-82-1401. Acts 1995, No. 1238, § 1.
- 6-82-1402. Acts 1995, No. 1238, § 2.
- 6-82-1403. Acts 1995, No. 1238, § 3.

SUBCHAPTER 15 — ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM

SECTION.

- 6-82-1501. Title.
- 6-82-1502. Program established — Purpose.
- 6-82-1503. Eligibility for scholarship — Amount.

SECTION.

- 6-82-1504. Service requirement for scholarship recipients.
- 6-82-1505. Rules and regulations — Administration — Report.
- 6-82-1506. Committee.

A.C.R.C. Notes. References to “this chapter” in subchapters 1-6 and 16 may not apply to this subchapter which was enacted subsequently.

6-82-1501. Title.

This subchapter shall be known and may be cited as the “Arkansas Geographical Critical Needs Minority Teacher Scholarship Program Act of 2001”.

History. Acts 2001, No. 1731, § 1.

6-82-1502. Program established — Purpose.

- (a) There is established the Critical Needs Minority Teacher Scholarship Program.
- (b) The purpose of the program is to attract qualified minority teachers to the Delta and those geographical areas of the state where there exists a critical shortage of teachers by awarding scholarships to minorities declaring an intention to serve in the teaching field who

actually render service to this state while possessing an appropriate teaching license.

History. Acts 2001, No. 1731, § 2; substituted “the” for “this” following “geographical areas of” and deleted “full” preceding “scholarships” in (b).
2003, No. 1746, § 1.

Amendments. The 2003 amendment

6-82-1503. Eligibility for scholarship — Amount.

(a)(1) The term “minority” when used in this subchapter shall refer to Black Americans, Hispanic Americans, Asian Americans, and Native Americans.

(2) The Native American group includes all persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

(b) Any individual who is a minority and who is enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher learning whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in the State of Arkansas who expresses in writing an intention to teach in a geographical area of the state in which there exists a critical shortage of teachers, as designated by the board, shall be eligible for a financial Critical Needs Minority Teacher Scholarship to be applied toward the costs of the individual’s college education, if:

(1) The applicant has a grade point average of 2.5 on a 4.0 scale in high school if the applicant graduated within the five (5) preceding years; and

(2) The applicant scored nineteen (19) or above on the American College Test composite or the equivalent as defined by the University of Arkansas at Pine Bluff.

(c)(1) The university is authorized to develop selection criteria through program rules and regulations which combine an applicant’s American College Test or equivalent score and grade point average in the core curriculum into a selection index.

(2) Notwithstanding the provisions of subdivisions (b)(1) and (b)(2) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average below 2.5 on a 4.0 scale or for applicants who have an American College Test composite or equivalent score greater than nineteen (19).

(d)(1) The annual amount of the scholarship shall be one thousand five hundred dollars (\$1,500) per year.

(2) Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(e)(1) Awards granted under the program shall be available to both full-time and part-time students.

(2) Students enrolling on a full-time basis may receive a maximum of four (4) annual awards.

(3) The maximum number of awards that may be made to students attending school on a part-time basis and the maximum time period for

part-time students to complete the number of academic hours necessary to obtain a baccalaureate degree in education shall be established by rules and regulations jointly promulgated by the university and the Department of Higher Education.

(f) Scholarships shall not be based upon an applicant's eligibility for financial aid.

History. Acts 2001, No. 1731, § 3; 2003, No. 1746, § 2.

Amendments. The 2003 amendment inserted the subdivision designations in (a); deleted former (b)(1) through (b)(3)(B); redesignated former (b)(3)(C) and (b)(4) as present (b)(1) and (b)(2); rewrote present (b)(1); in (c)(2), substituted "(b)(1) and (b)(2)" for "(b)(3)(C)" and "(b)(4)" and "be-

low 2.5 on a 4.0 scale" for "above 2.75 if attending an approved two year institution or 3.0 if attending a four year institution on a 4.0 scale in the set of core curriculum courses defined in subdivision (b)(1) of this section"; and substituted "Department of Higher Education" for "department" at the end of (e)(3).

6-82-1504. Service requirement for scholarship recipients.

(a) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Minority Teacher Scholarship is eligible for employment as a licensed teacher, that person shall begin to render service as a licensed teacher in a public school district in a geographical area of the state where there is a critical shortage of teachers or in the Delta, as designated by the Department of Education.

(b)(1) Any person who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render two (2) years' service as a licensed teacher.

(2) Any person who received fewer than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) school semester of service as a licensed teacher for each year that the person received a full-time student scholarship or for the number of academic hours equivalent to one (1) school year, as determined by the university, for which a part-time student received a scholarship.

(c) Students receiving a scholarship shall execute a note made payable to the university for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Department of Higher Education beginning September 1 after completion of the program or immediately after termination of the scholarship loan, whichever is earlier.

(d)(1) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered.

(2) Any person failing to complete his or her teaching obligation, as required under subsection (b) of this section, shall begin repaying the note according to the note's terms for the sum of all scholarship awards

made to that person less the corresponding amount of any awards for which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(3) After the period of the deferral, the person shall begin or resume teaching duties as required under this section or shall become liable on the note under this section.

(4) If a claim for payment under subsection (c) is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(e) The obligations made by the recipient of a scholarship award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

History. Acts 2001, No. 1731, § 4; 2003, No. 1746, § 3.

Amendments. The 2003 amendment substituted "two (2)" for "four (4)" following "render" in (b)(1); substituted "school

semester of" for "year's" in (b)(2); and substituted "a rate to be determined by the Department of Higher Education" for "the rate of ten percent (10%) per year" in (c).

6-82-1505. Rules and regulations — Administration — Report.

(a) The University of Arkansas at Pine Bluff and the Department of Higher Education shall jointly promulgate rules and regulations necessary for the proper administration of the Critical Needs Minority Teacher Scholarship Program.

(b) The university shall be the administering agency of the program.

(c) If sufficient funds are not available to fully fund scholarship awards to all eligible students, the university shall make the awards to first-time students on a first-come, first-served basis. However, priority consideration shall be given to persons previously receiving awards under the program.

(d) All funds received by the university from the repayment of scholarship awards by program participants shall be deposited in the fund that provides funding for the program.

(e)(1) The university shall make an annual report to the General Assembly.

(2) Each report shall contain a complete enumeration of the:

(A) Program's activities;

(B) Scholarships granted;

(C) Names of persons to whom granted;

(D) Institutions attended by those receiving the scholarships; and

(E) Teaching location of applicants who have received their education and become licensed teachers within this state as a result of the scholarships.

(3) The university shall make a full report and account of receipts and expenditures for salaries and expenses incurred under this section.

(4) Upon its records and any published reports, the university shall distinguish among those recipients who:

- (A) Have paid their financial obligations in full;
 - (B) Have breached their contracts but with the university's permission; and
 - (C) Have breached their contracts and remain financially indebted to the state.
- (f) The requirements of this subchapter are contingent on the funding available for the program.
- (g) The university is authorized to determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and recipients exceed the funds available, so long as the procedures are consistent with subsection (c) of this section.

History. Acts 2001, No. 1731, § 4; inserted "Higher" preceding "Education" 2003, No. 1746, § 4. in (a).

Amendments. The 2003 amendment

6-82-1506. Committee.

- (a) There is established a committee to be known as the Critical Needs Minority Teacher Scholarship Program Committee.
- (b) The committee shall consist of five (5) members to be appointed by the Chancellor of the University of Arkansas at Pine Bluff.
- (c) The appointed committee members shall be:
- (1) Individuals who have demonstrated a commitment to education; and
 - (2) Residents of the State of Arkansas at the time of appointment and throughout their term.
- (d) The members shall be appointed for terms of two (2) years.
- (e)(1) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment of the chancellor.
- (2) The new appointee shall serve for the remainder of the unexpired term.
- (f) The chancellor shall designate one (1) of the members to serve as chairperson.
- (g)(1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.
- (2) Three (3) of the members of the committee shall constitute a quorum for the purpose of transacting business.
- (3) All action of the committee shall be by approval of a quorum.
- (h) The committee shall:
- (1) Select the recipients of the Arkansas Teaching Fellows forgivable loans; and
 - (2) Perform other duties or functions regarding the Critical Needs Minority Teacher Scholarship Program as may be requested by the chancellor.
- (i)(1) The university shall provide staff and office space to the committee.
- (2)(A) Members of the committee shall serve without pay.

(B) Members of the committee may receive expense reimbursement in accordance with § 25-16-902, to be paid with funds appropriated for administration of the program to the extent money is available.

History. Acts 2003, No. 1746, § 5.

SUBCHAPTER 16 — ARKANSAS WORKFORCE IMPROVEMENT GRANT PROGRAM

SECTION.

- 6-82-1601. Legislative findings and intent — Purpose of subchapter.
- 6-82-1602. Definitions.
- 6-82-1603. Program established.
- 6-82-1604. Administration — Authority of department.
- 6-82-1605. Eligibility.
- 6-82-1606. Qualified student entitled to grant.

SECTION.

- 6-82-1607. Duties of applicant for grant.
- 6-82-1608. Amounts of grants.
- 6-82-1609. Award made to student.
- 6-82-1610. Withdrawal and refunds.
- 6-82-1611. Transfer to another school.
- 6-82-1612. Arkansas Workforce Improvement Grant Advisory Committee.
- 6-82-1613. Rules and regulations.
- 6-82-1614. Funding.

6-82-1601. Legislative findings and intent — Purpose of subchapter.

(a)(1) The General Assembly, giving due consideration to the historical and continuing interest of the people of Arkansas in encouraging able and deserving students to realize their aspirations for postsecondary education, finds and declares that postsecondary education for residents of this state who desire an education and are properly qualified therefor is important to the welfare and security of this state and nation and consequently is an important public service.

(2) The General Assembly finds and declares that the state can achieve its full economic and social potential only if every individual has the opportunity to contribute to the full extent of his or her capabilities and only when financial barriers to his or her economic, social, and educational goals are removed.

(b)(1) The General Assembly recognizes the importance that Arkansans of all ages continue to pursue educational opportunities.

(2) Arkansans who desire to pursue educational enrichment and to improve present skills but who may be unable to attend postsecondary educational institutions in the traditional manner are commended for their initiative and persistence.

(c) It is the intent of this legislation to provide financial support to adult students who are unlikely to receive meaningful financial aid from traditional state or federal financial aid programs and to enhance the education of the current work force in Arkansas.

History. Acts 2003, No. 1796, § 1.

6-82-1602. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1)(A) "Academic ability" means the intellectual standing of the student.

(B)(i) In determining academic ability, the Department of Higher Education shall examine the student's high school or college records or certified evidence from them on which the application is based, requiring proof of academic achievement and the capacity to profit from postsecondary education.

(ii) Admission to an approved private or public institution does not automatically meet academic ability qualifications;

(2) "Approved private institution" means a nonprofit two-year or four-year degree-granting institution of postsecondary education or an institution dedicated to educational purposes and located in Arkansas that offers completion of an occupational training program as defined by the federal government and that:

(A) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(B) Restricts the use of public funds to educational programs with a secular purpose;

(C) Provides a collegiate-level course of instruction for a minimum of two (2) years leading to or directly creditable toward an associate or baccalaureate degree or provides a course that leads to completion of an occupational training program;

(D) Is accredited by an accrediting agency certified and recognized by the United States Department of Education or the division of agency evaluation and institutional accreditation or is a school giving satisfactory assurance that it has the potential for accreditation and is making progress that if continued will result in its achieving accreditation;

(E) Does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968 and executive orders issued pursuant to them; and

(F) Subscribes to the principle of academic freedom;

(3) "Approved public institution" means a two-year or four-year degree-granting institution of postsecondary education or an institution dedicated to educational purposes and located in Arkansas that offers completion of an occupational training program as defined by the federal government and that:

(A) Is directly controlled or administered by a public agency or political subdivision;

(B) Receives appropriations directly or indirectly from the General Assembly for operating expenses;

(C) Provides a collegiate-level course for a minimum of two (2) years leading to or directly creditable toward an associate or bacca-

laureate degree or provides a course that leads to completion of an occupational training program;

(D) Is accredited by an accrediting agency certified and recognized by the United States Department of Education or the Division of Agency Evaluation and Institutional Accreditation or is a school giving satisfactory assurance that it has the potential for accreditation and is making progress that if continued will result in its achieving accreditation;

(E) Does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968 and executive orders issued pursuant to them; and

(F) Subscribes to the principle of academic freedom;

(4) "Credit certificate" means certificate programs that are taken for credit;

(5) "Department" means the Department of Higher Education;

(6) "Eligible student" means any student who meets the criteria set out in this subchapter and who is eligible by rules and regulations authorized by this subchapter and promulgated by the State Board of Workforce Education and Career Opportunities;

(7)(A) "Financial need" means the difference between the student's financial resources available as determined by the department and the student's total educational expenses, including tuition, mandatory fees, and board and room while attending an approved private or public institution of postsecondary education.

(B) In determining need, the department shall employ a formula of or a formula similar to a nationally recognized comprehensive mechanism for determining need;

(8) "Full-time student" means an individual resident of Arkansas as defined by the department who:

(A) Is a student at an approved private or public institution in a course of study leading to an associate's or bachelor's degree or completion of an occupational training program; and

(B) Is enrolled in at least twelve (12) semester hours or some other reasonable academic equivalent as defined by the department;

(9) "Program" means the Arkansas Workforce Improvement Grant Program;

(10) "Qualified student" means a full-time student who meets the criteria of academic ability and financial need as determined by the department and who has demonstrated that a Workforce Improvement Grant is warranted;

(11) "Tuition" means charges levied for attendance at an approved institution, including mandatory fees; and

(12) "Workforce Improvement Grant" means the amount of money paid by the State of Arkansas to a qualified applicant under this subchapter.

6-82-1603. Program established.

There is established the Arkansas Workforce Improvement Grant Program to provide grants to residents of the State of Arkansas who:

(1) Are admitted to and in attendance as students at approved private or public institutions of postsecondary education in this state; and

(2) Establish academic ability and financial need as provided in this subchapter.

History. Acts 2003, No. 1796, § 1.

6-82-1604. Administration — Authority of department.

The Department of Higher Education shall administer the student assistance grant program provided for in this subchapter and in so doing shall have the following authority and responsibility with respect to the program:

(1) To prepare application forms and other forms as it shall deem necessary to properly administer and carry out the purposes of this subchapter and to furnish the forms to persons desiring to make application for a Workforce Improvement Grant;

(2) To establish and consult as necessary an advisory committee representing the private and public sectors of postsecondary education in determining guidelines and regulations for administration of the program, including, but not limited to, rules determining academic ability, financial need, and residency;

(3) To adopt rules and regulations as the department deems necessary or appropriate to carry out the purposes of this subchapter;

(4) To consider all applications for a grant;

(5) To determine a termination date for the acceptance of applications;

(6)(A) To determine the necessary procedures for the awarding of grants should the number of eligible applicants exceed funds available, giving priority to those students with the greatest financial need and who meet academic eligibility requirements.

(B) To identify those students having the greatest financial need, the department shall utilize the family contribution method or another acceptable approved methodology;

(7) To cooperate with and receive the cooperation of the approved private and public institutions of postsecondary education in the state and their governing bodies in the administration of the program;

(8) To employ or engage such professional, administrative, clerical, and other employees as may be necessary to assist the department in the performance of its duties and responsibilities;

(9) To require applicants to file such additional information with the department as it may deem necessary and appropriate to carry out the purposes of this subchapter and to prevent fraud or misrepresentation or misleading representation by applicants;

- (10) To disburse grants to qualified students; and
- (11) To provide fair and equitable treatment to all approved institutions and students.

History. Acts 2003, No. 1796, § 1.

6-82-1605. Eligibility.

(a) A qualified student shall be eligible for an initial or renewed state grant only if the student:

- (1) Is a citizen of the United States or a permanent resident alien;
- (2) Is a resident of the State of Arkansas as determined by the Department of Higher Education for at least six (6) months immediately preceding the date on which the student applies;
- (3) Is accepted for admission at an approved institution of postsecondary education of his or her choice to pursue a baccalaureate degree, an associate degree, or a credit certificate;
- (4) Is enrolled in no fewer than three (3) credit hours or the equivalent as of the eleventh day of class at an approved institution that the department has determined to be eligible to participate in the Arkansas Workforce Improvement Grant Program;
- (5)(A) As an initial first-year student meets satisfactory academic progress standards required to receive other financial aid at the institution to be attended as determined by the rules and regulations of the department.
(B) After the initial first year, the student meets satisfactory academic progress standards of the institution attended;
- (6) Has not earned a baccalaureate degree;
- (7) Does not owe a refund on a Pell Grant, Supplemental Educational Opportunity Grant, or State Student Incentive Grant award or is not in default on a National Defense/Direct Student Loan, Perkins Loan, Stafford Loan, Supplemental Loan for Students loan, Parent Loan for Undergraduate Students loan, Income Contingent Loan, William D. Ford Federal Direct Loan, or Consolidated Loans Program;
- (8) Files a Statement of Educational Purpose and Selective Service Registration Status with the institution to be attended;
- (9) Has not borrowed, as determined by the institution to be attended, in excess of the annual loan limits under the Federal Family Educational Loan Program Systems, William D. Ford Federal Direct Loan Program, Income Contingent Loan Demonstration Program, Stafford Loan Program, Parent Loan for Undergraduate Students Program, or Supplemental Loan for Students Program in the same academic year for which the student has applied for assistance under the Arkansas Workforce Improvement Grant and has not borrowed in excess of the aggregate maximum loan limits under the Arkansas Workforce Improvement Grant Program;
- (10) Is twenty-four (24) years of age or older on or before the first day of the semester or summer sessions in which the Workforce Improvement Grant has been awarded; and

(11)(A) Graduated from high school or passed the General Educational Development Test; or

(B) Meets the ability-to-benefit criteria as defined by federal regulations in existence on January 1, 2003.

(b) The Workforce Improvement Grant provided for in this subchapter shall be awarded to freshmen as first-year students, sophomores as second-year students, juniors as third-year students, and seniors as fourth-year students.

History. Acts 2003, No. 1796, § 1.

6-82-1606. Qualified student entitled to grant.

A qualified student who is enrolled or has been accepted for enrollment at an approved private or public institution and who meets other eligibility criteria shall be entitled to a Workforce Improvement Grant based on academic ability and financial need as determined by the Department of Higher Education.

History. Acts 2003, No. 1796, § 1.

6-82-1607. Duties of applicant for grant.

In accordance with the provisions of this subchapter and the rules and regulations of the Department of Higher Education adopted pursuant to this subchapter, each applicant shall:

(1) Complete and file with the department either directly or through a service recognized by the department the appropriate application for a grant and other information and data as may be requested by the department for its use and consideration in determining the eligibility of the applicant;

(2) Promptly furnish to the department information regarding any other financial aid received, any change in the financial status of the applicant, and any other information that might have a direct bearing on the eligibility of the applicant for assistance under this subchapter; and

(3) Provide the department with written verification of the applicant's intention to use the grant for the purposes included within this subchapter.

History. Acts 2003, No. 1796, § 1.

6-82-1608. Amounts of grants.

(a) Each person awarded a grant shall receive the grant for one (1) academic year or its equivalent for part-time students as defined by the State Board of Workforce Education and Career Opportunities.

(b) The grant may be renewable for up to three (3) academic years or the equivalent for part-time students if the person applies and meets continuing eligibility criteria established by the board.

(c)(1) The amount of the annual grant for full-time students shall not exceed the lesser of one thousand eight hundred dollars (\$1,800) per academic year or the cost of tuition at the institution.

(2) The amount of the annual grant for part-time students shall be prorated on the basis of the number of credit hours enrolled each term not to exceed the lesser of one thousand eight hundred dollars (\$1,800) or the cost of tuition at the institution per academic year.

(3) The maximum total grant shall be seven thousand two hundred dollars (\$7,200).

(4) The amount of any award under subdivisions (c)(1) or (2) of this section shall be reduced by the amount of any Pell Grant received by the student for the academic year.

(d) The enrollment hours shall be determined on the eleventh class day or the official Department of Higher Education counting day.

(e) The department may promulgate rules and regulations to allow institutions to make emergency grants to students under the Arkansas Workforce Improvement Grant Program.

History. Acts 2003, No. 1796, § 1.

6-82-1609. Award made to student.

The Workforce Improvement Grant is to be awarded directly to the student in the name of the student and in a manner to be determined by the Department of Higher Education.

History. Acts 2003, No. 1796, § 1.

6-82-1610. Withdrawal and refunds.

If a recipient of a Workforce Improvement Grant at any time withdraws from an approved private or public institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the refund to which the student may be entitled to the Department of Higher Education to the extent of any amount the department has paid to the student for that academic year.

History. Acts 2003, No. 1796, § 1.

6-82-1611. Transfer to another school.

If a recipient of a Workforce Improvement Grant transfers from one (1) approved institution to another, his or her Arkansas Workforce Improvement Grant may be transferred with the approval and adjustment of the Department of Higher Education.

History. Acts 2003, No. 1796, § 1.

6-82-1612. Arkansas Workforce Improvement Grant Advisory Committee.

(a) There is created the Arkansas Workforce Improvement Grant Advisory Committee.

(b) The committee shall consist of eight (8) members to be appointed by the Director of the Department of Higher Education as follows:

(1) Three (3) members who are representative of public or private two-year educational institutions;

(2) Three (3) members who are representative of public or private four-year educational institutions;

(3) The Executive Director of the Arkansas Association of Two-Year Colleges or his or her designee; and

(4) The President of the Arkansas Association of Student Financial Aid Administrators.

(c)(1) The committee members shall initially be appointed for staggered terms so that the terms of one (1) member from a two-year institution and one (1) member of a four-year institution expire each year for a period of three (3) years.

(2) Thereafter, each member shall be appointed to serve a term of three (3) years.

(d) Vacancies on the committee shall be filled by appointment of the director to serve out the remainder of the term of the vacated position.

(e) A member of the committee shall not be entitled to compensation for his or her services and shall not receive expense reimbursement except from the institution employing the member.

(f) The Department of Higher Education shall provide necessary staff to assist the committee with the range and diversity of its charge.

(g)(1) The committee shall hold its first meeting within thirty (30) days after its appointment to organize as necessary to carry out its purposes as prescribed by this subchapter.

(2) The director shall designate a person on the committee to call and preside at the first meeting.

(h) Four (4) of the members of the committee shall constitute a quorum for the transaction of business.

(i) The committee shall select by majority vote one (1) of its members to serve as chair and one (1) to serve as vice chair.

(j)(1) The committee shall meet as necessary to carry out the duties of the committee.

(2) Meetings may be called by the chair or as provided by the rules of the committee.

(k) The committee shall provide advice to the department concerning the development of rules and regulations for the operation and administration of the Arkansas Workforce Improvement Grant Program.

History. Acts 2003, No. 1796, § 1.

6-82-1613. Rules and regulations.

(a)(1) The Department of Higher Education shall promulgate rules and regulations for the administration of the Arkansas Workforce Improvement Grant Program by the institutions of higher education consistent with the purposes and requirements of this subchapter.

(2) The rules and regulations shall be reviewed by the Arkansas Workforce Improvement Grant Advisory Committee and approved by the Arkansas Higher Education Coordinating Board.

(b) The rules and regulations shall include:

(1) A deadline in October and March of each year for application to the program;

(2) Student eligibility criteria based on the provisions of this subchapter;

(3) The method for selecting grant recipients;

(4) Rules for determining continuing eligibility;

(5) Procedures for making payment to recipients;

(6) Satisfactory academic standards; and

(7) Other administrative procedures that may be necessary for the implementation and operation of the program.

(c) The department shall file a report no later than November 1 of each year with the Legislative Council stating the total yearly number of applicants to the program and the total yearly number of grants awarded.

History. Acts 2003, No. 1796, § 1.

6-82-1614. Funding.

(a) A Workforce Improvement Grant shall be awarded contingent on the appropriation and availability of funds for the Arkansas Workforce Improvement Grant Program.

(b)(1) The total funds available for the program shall be divided among all approved institutions.

(2) The funds shall be divided pro rata based on each approved institution's percentage of enrollment of undergraduate students over twenty-five (25) years of age earning credit for the previous academic year.

(3) Each institution shall be responsible for administering the program in accordance with rules and regulations as approved by the Arkansas Higher Education Coordinating Board.

History. Acts 2003, No. 1796, § 1.

CHAPTER 83**TAX-DEFERRED TUITION SAVINGS PROGRAM**

SECTION.

6-83-101 — 6-83-110. [Repealed.]

6-83-101 — 6-83-110. [Repealed.]

A.C.R.C. Notes. The amendment of § 6-83-107 by Acts 1999, No. 1126 was deemed superseded by the repeal of this subchapter by Acts 1999, No. 996. The amendment deleted “contribution” preceding “distribution or earnings” in the first sentence in (a).

Publisher’s Notes. This chapter was repealed by Acts 1999, No. 996, § 15. The chapter was derived from the following sources:

- 6-83-101. Acts 1997, No. 1309, § 1.
- 6-83-102. Acts 1997, No. 1309, § 7.
- 6-83-103. Acts 1997, No. 1309, § 2.
- 6-83-104. Acts 1997, No. 1309, § 3.
- 6-83-105. Acts 1997, No. 1309, § 4.
- 6-83-106. Acts 1997, No. 1309, § 6.
- 6-83-107. Acts 1997, No. 1309, § 5; 1999, No. 1126, § 12.
- 6-83-108. Acts 1997, No. 1309, § 8.
- 6-83-109. Acts 1997, No. 1309, § 9.
- 6-83-110. Acts 1997, No. 1309, § 10.

CHAPTER 84

TAX-DEFERRED TUITION SAVINGS PROGRAM

- SECTION.
- 6-84-101. Title.
 - 6-84-102. Purpose.
 - 6-84-103. Definitions.
 - 6-84-104. Creation of the Arkansas Tax-Deferred Tuition Savings Program Trust.
 - 6-84-105. Administration — Authority — Powers.
 - 6-84-106. Investment direction.

- SECTION.
- 6-84-107. Accounts.
 - 6-84-108. Naming of designated beneficiary and transfers of accounts.
 - 6-84-109. Account withdrawals.
 - 6-84-110. Prohibitions.
 - 6-84-111. Funds exempt from tax.
 - 6-84-112. Limitation on liability.
 - 6-84-113. Liberal construction.

Effective Dates. Acts 2003, No. 515, § 2: effective for tax years beginning on or after January 1, 2003.

Acts 2003, No. 663, § 14: effective for tax years beginning on and after January 1, 2003.

6-84-101. Title.

This chapter shall be known and may be cited as the Arkansas Tax-Deferred Tuition Savings Program Act.

History. Acts 1999, No. 996, § 1; 2003, No. 515, § 1.

Publisher’s Notes. Acts 2003, No. 515, § 2, provided: “This act shall apply to tax years beginning on or after January 1, 2003.”

Amendments. The 2003 amendment deleted “of 1999” following “Program Act.”

6-84-102. Purpose.

It is the intent and purpose of this chapter to create and establish the Arkansas Tax-Deferred Tuition Savings Program pursuant to 26 U.S.C. § 529 as in effect on February 1, 2003, to be administered by the Section 529 Plan Review Committee through the adoption of rules and regulations for the administration of the program.

History. Acts 1999, No. 996, § 2; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment substituted "February 1, 2003" for "January 1, 1999" and "Section 529 Plan Review Committee" for "Arkansas Teacher Retirement System."

6-84-103. Definitions.

For purposes of this chapter:

(1) "Account" means an account established in accordance with this chapter;

(2) "Account owner" means the person who, under this chapter or the rules promulgated by the Section 529 Plan Review Committee, is entitled to select or change the designated beneficiary of an account, to designate any person other than the designated beneficiary to whom funds may be paid from the account, or to receive distributions from the account if no other person is designated;

(3) "Act" means the Arkansas Tax-Deferred Tuition Savings Program Act;

(4)(A) "Arkansas Tax-Deferred Tuition Savings Program Trust" or "trust" means the trust created under § 6-84-104.

(B) Participation in the trust shall be open to Arkansas residents and nonresidents alike;

(5) "Committee" means the Section 529 Plan Review Committee, provided for in § 6-84-105, which shall oversee the administration of the Arkansas Tax-Deferred Tuition Savings Program and ensure that the program complies with the provisions of this chapter and acts in accordance with 26 U.S.C. § 529 as in effect on February 1, 2003;

(6) "Contribution" means:

(A) Any payment directly allocated to an account for the benefit of a designated beneficiary or used to pay administrative fees associated with an account; and

(B) That portion of any rollover amount treated as a contribution under 26 U.S.C. § 529 as in effect on February 1, 2003;

(7) "Contributor" means any person making a contribution to an account;

(8) "Designated beneficiary" means, except as provided in § 6-84-108, the individual designated at the time the account is opened as having the right to receive a qualified withdrawal for the payment of qualified higher education expenses or, if the designated beneficiary is replaced in accordance with § 6-84-108, the replacement;

(9) "Higher education institution" means an eligible education institution as defined in 26 U.S.C. § 135(c)(3) as in effect on February 1, 2003;

(10) "Member of the family" shall have the same meaning as is contained in 26 U.S.C. § 529(e) as in effect on February 1, 2003;

(11) "Nonqualified withdrawal" means a withdrawal from an account that is not:

(A) A qualified withdrawal;

(B) A withdrawal made as the result of the death or disability of the designated beneficiary;

(C) A withdrawal made as the result of a scholarship, or allowance or payment described in 26 U.S.C. § 135(d)(1)(B) or (C) as in effect on February 1, 2003, received by the designated beneficiary but only to the extent of the amount of the scholarship, allowance, or payment; or

(D) A rollover or change in the designated beneficiary;

(12) "Person" means a person as defined in 26 U.S.C. § 529 as in effect on February 1, 2003;

(13) "Program" means the Arkansas Tax-Deferred Tuition Savings Program established by this chapter;

(14) "Qualified higher education expenses" means tuition and other permitted expenses as set forth in 26 U.S.C. § 529(e) as in effect on February 1, 2003, for the enrollment or attendance of a designated beneficiary at a higher education institution;

(15) "Qualified tuition program" means a qualified tuition program as defined in 26 U.S.C. § 529(b) as in effect February 1, 2003;

(16) "Qualified withdrawal" means a withdrawal from an account to pay the qualified higher education expenses of the designated beneficiary but only if the withdrawal is made in accordance with the requirements of the program; and

(17) "Rollover" means a disbursement or transfer from an account that is transferred to or deposited within sixty (60) calendar days of the transfer into an account of the same person for the benefit of the same designated beneficiary or another person as a designated beneficiary if the transferee account was created under this chapter or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529(c) as in effect on February 1, 2003.

History. Acts 1999, No. 996, § 3; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment deleted "individual trust account or savings" preceding "account" in (1); rewrote (2); substituted "Act" for "Act of 1999" in (3); in (5), substituted "Section 529 Plan

Review Committee," for "investment committee" and inserted "as in effect on February 1, 2003"; added present (6) and (7); redesignated former (6)-(9) as present (8)-(11); substituted "February 1, 2003" for "January 1, 1999" in present (9), (10), (11)(C) and (14); deleted "described in § 6-84-108" at the end of (11)(D); inserted present (12), (15) and (17), deleted former (13), and redesignated the remaining subdivisions accordingly.

6-84-104. Creation of the Arkansas Tax-Deferred Tuition Savings Program Trust.

(a) There is created the Arkansas Tax-Deferred Tuition Savings Program Trust.

(b) The co-trustees of the trust shall be the Director of the Department of Higher Education, the Executive Director of the Arkansas Teacher Retirement System, and the Treasurer of State.

History. Acts 1999, No. 996, § 4; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax

years beginning on or after January 1, 2003."

Amendments. The 2003 amendment rewrote (b).

6-84-105. Administration — Authority — Powers.

(a) This chapter shall be administered by the Section 529 Plan Review Committee, which shall be composed of:

- (1) The Director of the Department of Higher Education;
- (2) The Executive Director of the Arkansas Teacher Retirement System; and
- (3) The Treasurer of State.

(b) The committee shall adopt such rules and regulations as it deems necessary and proper to administer this chapter and to ensure the compliance of the Arkansas Tax-Deferred Tuition Savings Program with 26 U.S.C. § 529 as in effect on February 1, 2003.

(c) The committee shall have the following powers, duties, and functions:

(1) To establish, develop, implement, and maintain the program in a manner consistent with the provisions of this chapter and 26 U.S.C. § 529 as in effect on February 1, 2003, to obtain the benefits provided by 26 U.S.C. § 529 for the program, account owners, and designated beneficiaries;

(2) To adopt rules and regulations for the general administration of the program;

(3) To maintain, invest, and reinvest the funds contributed into the program consistent with the investment restrictions established by the committee and the standard of care described in the prudent investor rule presently codified as § 24-3-417 [repealed]; and

(4)(A) To make and enter into any and all contracts, agreements, or arrangements and to retain, employ, and contract for the services of financial institutions, depositories, consultants, broker dealers, investment advisors or managers, third-party plan administrators, and research, technical, and other services necessary or desirable for carrying out the purposes of this chapter.

(B) Contracts entered into by the committee may be for a term of from one (1) to ten (10) years.

History. Acts 1999, No. 996, §§ 5, 6; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment rewrote (a); substituted "February 1,

2003" for "January 1, 1999" in (b) and (c)(1); substituted "committee" for "Arkansas Tax-Deferred Tuition Savings Program Investment Committee" in (b) and (c); and substituted "program, account owners, and designated beneficiaries" for "program and its participants" in (c)(1).

6-84-106. Investment direction.

Except as permitted in 26 U.S.C. § 529 as in effect on February 1, 2003, no person shall have the right to direct the investment of any contributions to or earnings from the Arkansas Tax-Deferred Tuition Savings Program.

History. Acts 1999, No. 996, § 8; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment substituted "February 1, 2003" for "January 1, 1999, and regulations thereunder as in effect on January 1, 1999."

6-84-107. Accounts.

(a)(1) An account owner or contributor may establish an account by making an initial contribution to the Arkansas Tax-Deferred Tuition Savings Program, signing an application form approved by the Section 529 Plan Review Committee and naming the account owner and the designated beneficiary.

(2) If the contributor is not the account owner, the account owner shall also sign the application form.

(3) Any person may make contributions to an account after the account is opened.

(b) Contributions to an account shall be made only in cash.

(c) Total contributions to all accounts shall not exceed those reasonably necessary to provide for the qualified higher education expenses of the beneficiary, and the committee shall establish maximum contribution limits applicable to program accounts.

(d) Separate records and accounting shall be required by the program for each account, and reports shall be made no less frequently than annually to the account owner.

(e)(1) The program shall be permitted to collect application, account, or administrative fees to defray the costs of the program.

(2) The application, account, or administrative fees must be approved by the committee.

History. Acts 1999, No. 996, § 7; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment rewrote (a); substituted "Committee" for "Arkansas Tax-Deferred Tuition Savings Program Investment Committee" in (c); and, in (d), deleted "and the designated beneficiary" at the end of the sentence.

6-84-108. Naming of designated beneficiary and transfers of accounts.

(a) An account owner shall have the right to name the designated beneficiary of an account and at any time to change the designated beneficiary of an account to another individual who is a member of the family of the former designated beneficiary.

(b) At the direction of an account owner, all or a portion of an account may be transferred to another account of which the designated beneficiary is a member of the family of the designated beneficiary of the transferee account if the transferee account was created by this chapter or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003.

History. Acts 1999, No. 996, § 10; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment inserted "to name the designated beneficiary of an account and" following "shall have the right" in (a); and rewrote (b).

6-84-109. Account withdrawals.

(a) Withdrawal from an account may be made on thirty (30) days' written notice by the account owner to the Section 529 Plan Review Committee or on shorter notice as the committee may by regulation provide.

(b)(1) An account withdrawal paid to or for the benefit of any person during any calendar year shall be reported to the person and to the Internal Revenue Service.

(2) The report shall be made at the time required by the rules of the Internal Revenue Service as in effect on February 1, 2003, and contain such information as is required by law.

History. Acts 1999, No. 996, § 11; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax

years beginning on or after January 1, 2003."

Amendments. The 2003 amendment rewrote this section.

6-84-110. Prohibitions.

(a) Total contributions to all accounts established on behalf of a particular designated beneficiary in excess of those reasonably necessary to meet the designated beneficiary's qualified higher education expenses are prohibited.

(b)(1) No account or any legal or beneficial interest in an account shall be assignable or pledged or otherwise used to secure or obtain a loan or other advancement.

(2) An account or any legal or beneficial interest in an account shall not be subject to attachment, levy, or execution by any creditor of an account owner or designated beneficiary.

History. Acts 1999, No. 996, § 9; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment inserted "designated" following "a particular" in (a); inserted the (b)(1) designation and inserted "legal or beneficial"; and added (b)(2).

6-84-111. Funds exempt from tax.

(a) Except as otherwise indicated in this chapter, interest, dividends, and capital gains from funds invested in the Arkansas Tax-Deferred Tuition Savings Program or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003, shall be exempt from Arkansas income taxes.

(b) Contributions to a tuition savings account established under this program or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003, may not be excluded or deducted from the contributor's income for the purpose of calculating Arkansas income tax.

(c)(1) Qualified withdrawals from a tuition savings account established under this program or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003, will be exempt from Arkansas income tax with respect to the designated beneficiary's income.

(2)(A) Nonqualified withdrawals from a tuition savings account established under this program or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003, will be subject to Arkansas income tax.

(B) The nonqualified withdrawal will be taxable to the party, account owner or designated beneficiary, who actually makes the withdrawal.

(d) Any earnings on the contribution that are included in the refund will be subject to Arkansas income tax if an account owner receives a refund of contributions to a tuition savings account established under this program or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003, because of either:

(1) The death or disability of the designated beneficiary; or

(2) A scholarship, allowance, or payment described in 26 U.S.C. § 135(d)(1)(B) or (C) as in effect on January 1, 2003, received by the designated beneficiary.

History. Acts 1999, No. 996, § 13; 2003, No. 515, § 1; 2003, No. 663, § 1.

Publisher's Notes. Acts 2003, No. 663, § 14, provided: "This act applies to tax years beginning on and after January 1, 2003."

A.C.R.C. Notes. Pursuant to § 1-2-207, this section is set out above as amended by Acts 2003, No. 663, § 1. Section 6-84-111 was also amended by Acts 2003, No. 515, § 1, to read as follows:

"6-84-111. Funds exempt from tax.

"(a) Except as otherwise indicated in this chapter, interest, dividends, and capital gains, and other income earned on funds invested in the Arkansas Tax-Deferred Tuition Savings Program or in an-

other qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall be exempt from Arkansas income taxes.

"(b) Contributions to an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, may not be excluded or deducted from the contributor's income for the purpose of calculating Arkansas income tax.

"(c)(1) Qualified withdrawals from an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall

be exempt from Arkansas income tax with respect to the designated beneficiary's income.

"(2)(A) Nonqualified withdrawals from an account established under this program or under another qualified tuition program maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, shall be subject to Arkansas income tax as provided in subdivision (c)(2)(B) of this section.

"(B) Any income earned on the contributions to an account that are included in a nonqualified withdrawal will be taxable to the party, account owner, or designated beneficiary who actually receives the withdrawal.

"(d) If an account owner receives a refund of contributions to an account established under this program or under another qualified tuition program

maintained in accordance with 26 U.S.C. § 529 as in effect February 1, 2003, because of either:

"(1) The death or disability of the designated beneficiary; or

"(2) A scholarship, or allowance or payment described in 26 U.S.C. § 135 (d)(1)(B) or (C) as in effect on February 1, 2003, received by the designated beneficiary, then any income earned on the contributions to the account that are included in the refund will be subject to Arkansas income tax."

Amendments. The 2003 amendment by No. 663 inserted "or a tax-deferred tuition savings program established by another state under 26 U.S.C. § 529 as in effect on January 1, 2003" throughout this section; and substituted "2003" for "1999" in (d)(2).

6-84-112. Limitation on liability.

Neither the Arkansas Tax-Deferred Tuition Savings Program, the Section 529 Plan Review Committee and each of its members, nor the state shall insure any account or guarantee any rate of return or any interest rate on any contribution, nor shall they or any one of them be liable for any loss incurred by any person as a result of participating in the program.

History. Acts 1999, No. 996, § 8; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendment substituted "Section 529 Plan Review Committee" for "Arkansas Tax-Deferred Tuition Savings Program Investment Committee."

6-84-113. Liberal construction.

This chapter shall be liberally construed to comply with the requirements of 26 U.S.C. § 529 as in effect on February 1, 2003.

History. Acts 1999, No. 996, § 12; 2003, No. 515, § 1.

Publisher's Notes. Acts 2003, No. 515, § 2, provided: "This act shall apply to tax years beginning on or after January 1, 2003."

Amendments. The 2003 amendments substituted "February 1, 2003" for "January 1, 1999."

Index to Title 6 (50-84)

A

ACCOUNTS AND ACCOUNTING.

Henderson State University.

Board of trustees, §6-66-110.

University of Arkansas.

Applicability of act.

Funds excepted from applicability,
§6-64-1009.

Claims.

Allowance in payment to be listed,
§6-64-1008.

Dealers.

Itemized account to be filed.

Affidavit attached, §6-64-1006.

Duplicate accounts to be filed,
§6-64-1006.

Employees to file monthly accounts,
§6-64-1005.

Funds excepted from applicability of
act, §6-64-1009.

Itemizing statement for allowance and
payment, §6-64-1007.

Penalties, §6-64-1001.

University of Central Arkansas.

Board of trustees, §6-67-111.

Vocational education and rehabilitation.

Acceptance of benefits of congressional
act.

Statement of finances of board of
education, §6-51-214.

Board of education.

Statement of finances, §6-51-214.

ACTIONS.

Universities and colleges.

Improvement districts.

Liens.

Enforcement of lien.

See UNIVERSITIES AND
COLLEGES.

ADULT EDUCATION.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND
COLLEGES.

ADVERTISING.

Universities and colleges.

Private outside work using campus
facilities.

Publicity and advertising to show
institution and state not
contractually obligated,
§6-62-401.

AFFIDAVITS.

University of Arkansas.

Accounts and accounting.

Dealers to file itemized accounts,
§6-64-1006.

Attachment of affidavits,
§6-64-1006.

AFFIRMATIVE ACTION PROGRAMS.

Universities and colleges, §6-63-103.

AGED PERSONS.

Universities and colleges.

Fees.

Waiver of general student fee
charges, §6-60-204.

AGRICULTURAL COLLEGES.

Arkansas state university.

Generally, §§6-65-201 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY.

Arkansas state university-Beebe, §§6-65-217 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY-BEEBE.

Arkansas Tech university.

Generally, §§6-65-301 to 6-65-305.

See ARKANSAS TECH
UNIVERSITY.

Districts.

Division of state into districts,
§6-65-101.

Schools.

Admissions, §6-65-105.

Boards of trustees.

Course of study provided by
trustees, §§6-65-102, 6-65-103.

Nepotism, §6-65-107.

Cooperation on research and
publications, §6-65-109.

Faculty, §§6-65-104, 6-65-107,
6-65-108.

AGRICULTURAL COLLEGES

—Cont'd

Districts —Cont'd

Schools —Cont'd

Labor.

Student to perform labor about school, §6-65-106.

Publication and research.

Cooperation, §6-65-109.

Rental of unused facilities.

Authorized, §6-65-111.

Reports.

Contents, §6-65-112.

Same educational status, §6-65-102.

Students.

Perform labor about school, §6-65-106.

Subjects taught, §6-65-102.

Tuition, §6-65-105.

Unused facilities.

Rental.

Authorized, §6-65-111.

Status.

Same educational status in all four districts, §6-65-102.

Engineering management college.

Arkansas state university at

Jonesboro, §§6-65-206, 6-65-207.

Southern Arkansas university.

Generally, §§6-65-401 to 6-65-410.

See SOUTHERN ARKANSAS UNIVERSITY.

AGRICULTURAL EXPERIMENT STATIONS.**University of Arkansas**, §§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

AGRICULTURE.**Agricultural experiment stations.**

General provisions, §§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

ALCOHOLIC BEVERAGES.**University of Arkansas for medical sciences.**

Medical department.

Chair on alcoholism and drug abuse prevention, §6-64-412.

AMERICAN SIGN LANGUAGE.**Universities and colleges.**

Qualification as foreign language, §6-61-125.

APPEALS.**Agricultural colleges.**

Arkansas polytechnic college.

Board of trustees.

Removal of members, §6-65-301.

APPEALS —Cont'd**Agricultural colleges** —Cont'd

Arkansas state university.

Board of trustees.

Removal of members, §6-65-201.

Southern Arkansas University.

Board of trustees.

Removal of members, §6-65-401.

Eminent domain, §6-65-403.

Henderson state university.

Board of trustees.

Removal of members, §6-66-101.

Eminent domain.

Attorney general to handle, §6-66-112.

Residence and correspondence schools.

Denial or suspension of admissions representative's license, §6-51-615.

Penalties, §6-51-618.

Universities and colleges.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

University of Central Arkansas.

Board of trustees.

Removal of members, §6-67-102.

APPRAISALS AND APPRAISERS.**Universities and colleges.**

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Vocational education and rehabilitation.

Housing construction program, §6-51-507.

APPRENTICES.**Apprenticeship training program**, §§6-52-201 to 6-52-208.

See VOCATIONAL EDUCATION AND REHABILITATION.

APPROPRIATIONS.**Agricultural colleges.**

Southern Arkansas university, §6-65-408.

Arkansas workforce improvement grant program, §6-82-1614.**Universities and colleges.**

Transfer of appropriations, §6-62-104.

University of Arkansas.

Agricultural experiment stations.

County appropriations, §6-64-704.

Application of funds for specified purposes only, §6-64-1002.

APPROPRIATIONS —Cont'd
University of Arkansas at Little Rock.

College of information science and engineering, §6-64-1102.

Vocational education and rehabilitation.

Acceptance of benefits of congressional act, §6-51-211.

Accounts and accounting.

Statement of finances, §6-51-214.

Assistants appointed by commissioner of education, §6-51-213.

Board of education.

Designation to administer federal and state acts, §6-51-213.

Disbursement, §6-51-212.

Records.

Keeping at capitol, §6-51-213.

Reports.

Annual report of board of education, §6-51-214.

State treasurer as custodian of funds, §6-51-212.

Housing construction program.

Exclusive uses of funds appropriated and received, §6-51-509.

ARBITRATION.

Residence and correspondence schools.

Private career education arbitration panel, §6-51-617.

ARKANSAS CONSTRUCTION INDUSTRY CRAFT TRAINING ACT, §§6-55-102 to 6-55-108.

See CONSTRUCTION INDUSTRY CRAFT TRAINING.

ARKANSAS EXISTING WORKFORCE TRAINING ACT, §§6-50-701 to 6-50-705.

See EXISTING WORKFORCE TRAINING ACT.

ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM ACT OF 2001, §§6-82-1501 to 6-82-1506.

ARKANSAS HEAVY EQUIPMENT OPERATOR TRAINING ACADEMY, §§6-61-531 to 6-61-533.

Appropriated funds, §6-61-533.

Establishment, §6-61-531.

Funding, §6-61-533.

Hiring practices, §6-61-532.

Operation, §6-61-532.

ARKANSAS INSTITUTION FOR ADVOCACY FOR THE BLIND, §§6-61-115 to 6-61-117.

Board, §§6-61-116, 6-61-117.

Powers, §6-61-117.

Creation, §6-61-115.

Purpose, §6-61-118.

ARKANSAS INSTITUTION FOR ADVOCACY FOR THE DEAF, §§6-61-118 to 6-61-120.

Board, §§6-61-119, 6-61-120.

Powers, §6-61-120.

Creation, §6-61-118.

Purpose, §6-61-118.

ARKANSAS NORTHEASTERN COLLEGE, §§6-59-101 to 6-59-111.

Board of directors, §6-59-103.

Catastrophic leave program.

Effect of merger, §6-59-106.

Certificate and diploma programs.

Effect of merger, §6-59-107.

Cotton boll technical institute.

Merger and name change, §6-59-102.

Curriculum.

Effect of merger, §6-59-107.

Definitions, §6-59-101.

Ex officio board of trustees, §6-59-103.

Faculty and employees.

Effect of merger, §§6-59-104 to 6-59-106.

Health insurance plans.

Effect of merger, §6-59-104.

House construction programs, §6-59-108.

Legal authority, §6-59-109.

Mississippi county community college.

Merger and name change, §6-59-102.

Purchasing, §6-59-108.

Sick leave.

Effect of merger, §§6-59-105, 6-59-106.

Transfer of assets, §6-59-109.

Workforce 2000 development fund, §6-59-110.

ARKANSAS STATE COLLEGE.

Successor institution, §§6-65-201 to 6-65-224.

ARKANSAS STATE UNIVERSITY.

Administrative functions.

Consolidation, §6-65-225.

Board of trustees.

Appointment of members, §6-65-201.

Composition, §6-65-201.

Creation, §6-65-201.

Duties, §6-65-202.

ARKANSAS STATE UNIVERSITY

—Cont'd

Board of trustees —Cont'd

Expenses of members, §6-65-201.

Number of members, §6-65-201.

Oath of office, §6-65-201.

Powers, §6-65-202.

Removal of members, §6-65-201.

Vacancies, §6-65-201.

Chancellors or directors of branch campuses.

Housing allowances, §6-65-226.

Consolidation of administrative functions, §6-65-225.**Eminent domain, §6-65-203.**

Appeals, §6-65-203.

Procedure, §6-65-203.

Engineering management college.

Jonesboro facility, §6-65-207.

Curriculum, schedule and structure,
§6-65-207.Research and education program,
§6-65-206.**Federal aid.**

Participation authorized, §6-65-205.

Vouchers.

Drawing by disbursing agent,
§6-65-204.**Housing allowances.**Chancellors of branch campuses,
§6-65-226.**Jonesboro facility.**

Engineering management college.

Curriculum, schedule and structure,
§6-65-207.

Established, §6-65-207.

Research and educational program.

Conducting program, §6-65-206.

Established, §6-65-206.

State aid.

Participation authorized, §6-65-205.

ARKANSAS STATE**UNIVERSITY-BEEBE, §§6-65-217
to 6-65-224.****Admissions, §6-65-212.****Board of trustees.**Course of study prescribed by,
§6-65-210.

Powers, §6-65-208.

Cooperation with other agricultural schools, §6-65-215.**Course of study.**

Prescribed by trustees, §6-65-210.

District for school.

Counties comprising, §6-65-209.

Faculty, §6-65-211.**Fund, §6-65-216.****ARKANSAS STATE****UNIVERSITY-BEEBE —Cont'd****Rental of unused property, §6-65-214.****Staff, §6-65-211.****State technical institute.**

Admissions, §6-65-222.

Advanced placement, §6-65-222.

Chief administrative officer.

Responsibility for operation of
institute, §6-65-221.Courses of study and training,
§6-65-220.

Establishment, §6-65-218.

Fees and charges, §6-65-223.

Legislative intent, §6-65-217.

Reporting requirements, §6-65-224.

Tuition, §6-65-223.

Tuition, §6-65-212.

State technical institute, §6-65-223.

Work about school performed by
students, §6-65-213.**ARKANSAS STATE****UNIVERSITY-SEARCY, §§6-56-101
to 6-56-110.****Board of advisers, §6-56-103.****Catastrophic leave program.**Former institute employees,
§§6-56-105, 6-56-106.**Certificate and diploma programs.**

Effect of merger, §6-56-107.

Curriculum.

Effect of merger, §6-56-107.

Definitions, §6-56-101.**Faculty and employees.**Effect of merger of institute on
employees, §§6-56-104 to 6-56-107.**Foothills technical institute.**Effective date of name change and
merger, §6-56-102.**Health insurance plans.**

Effect of merger, §6-56-104.

Legal authority, §6-56-109.**Purchasing.**

Conformity to procedures, §6-56-108.

Sick leave.Former institute employees,
§§6-56-105, 6-56-106.**Transfer of assets, §6-56-109.****Workforce 2000 funding, §6-56-110.****ARKANSAS TAX-DEFERRED****TUITION SAVINGS PROGRAM
ACT OF 1999, §§6-84-101 to
6-84-113.**See **TAX-DEFERRED TUITION
SAVINGS PROGRAM.**

ARKANSAS TECH UNIVERSITY,
§§6-57-101 to 6-57-104, 6-65-301 to 6-65-305.

Arkansas valley technical institute.
Name change and merger, §6-57-101.

Board of trustees, §6-57-101.

Appointment of members, §6-65-301.

Composition, §6-65-301.

Creation, §6-65-301.

Duties, §6-65-302.

Expenses of members, §6-65-301.

Number of members, §6-65-301.

Oath of office, §6-65-301.

Powers, §6-65-302.

Qualifications of members, §6-65-301.

Removal of members, §6-65-301.

Vacancies, §6-65-301.

Easements.

Authority to grant easements to lands,
§6-65-305.

Proceeds.

Disposition, §6-65-305.

Faculty and employees.

Effect of merger on employees,
§6-57-103.

Hot Springs branch, §6-65-303.

Legal authority, §6-57-102.

Mineral lands.

Lease authorized, §6-65-304.

Proceedings, §6-65-304.

Sick leave.

Former institute employees, §6-57-103.

Transfer of assets, §6-57-102.

Workforce 2000 development fund,
§6-57-104.

**ARKANSAS VALLEY TECHNICAL
INSTITUTE.**

Merger and name change, §§6-57-101
to 6-57-104.

**ARKANSAS WORKFORCE
IMPROVEMENT GRANT
PROGRAM,** §§6-82-1601 to
6-82-1614.

See UNIVERSITIES AND COLLEGES.

ASSESSMENTS.

Universities and colleges.

Improvement districts.

See UNIVERSITIES AND
COLLEGES.

ATHLETIC CONTESTS.

Football.

University of Arkansas radio
broadcasts, §6-64-104.

Universities and colleges.

Athletic programs, §§6-62-801 to
6-62-807.

See UNIVERSITIES AND
COLLEGES.

ATTORNEY GENERAL.

Henderson state university.

Eminent domain.

Appeals handled by attorney
general, §6-66-112.

Universities and colleges.

Eminent domain.

Legal representation of board of
trustees, §6-62-201.

ATTORNEYS AT LAW.

University of Arkansas.

Law school, §§6-64-601 to 6-64-621.

See UNIVERSITY OF ARKANSAS.

AUCTIONS AND AUCTIONEERS.

**Vocational education and
rehabilitation.**

Housing construction program,
§6-51-507.

AUDITS AND AUDITORS.

Student loans, §6-81-130.

Guarantee foundation.

Annual audit, §6-81-206.

AUTHORITIES.

Student loans.

See STUDENT LOANS.

B

BACKGROUND CHECKS.

**Residence and correspondence
schools,** §6-51-605.

Admissions representatives, §6-51-609.

BASKETBALL.

University of Arkansas.

Radio broadcasts, §6-64-104.

BIDS AND BIDDING.

**Vocational education and
rehabilitation.**

Housing construction program,
§6-51-507.

BLACK RIVER

**VOCATIONAL-TECHNICAL
SCHOOL, POCAHONTAS.**

**Institution designated as technical
college,** §6-53-301.

BLIND PERSONS.

**Arkansas institution for advocacy
for the blind,** §§6-61-115 to
6-61-117.

Community colleges.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Education.

Arkansas institution for advocacy for
the blind, §§6-61-115 to 6-61-117.

BLIND PERSONS —Cont'd

Institution for advocacy for the blind, §§6-61-115 to 6-61-117.

Universities and colleges.

Arkansas institution for advocacy for the blind, §§6-61-115 to 6-61-117.

Electronic versions of instructional materials.

Transcription into Braille, §6-68-105.

Vocational education and rehabilitation.

See VOCATIONAL EDUCATION AND REHABILITATION.

BOARDS AND COMMISSIONS.

Institution for advocacy for the blind.

Arkansas board for the institution for advocacy for the blind, §§6-61-116, 6-61-117.

Institution for advocacy for the deaf.

Arkansas board for the institution for advocacy for the deaf, §§6-61-119, 6-61-120.

Nurses.

Graduate nurse educator loan and scholarship board, §6-81-1202.

Teachers.

State teacher assistance resource commission, §6-81-1507.

BOND ISSUES.**Buildings.**

Vocational education and rehabilitation, §6-51-216.

See VOCATIONAL EDUCATION AND REHABILITATION.

Community colleges.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Refunding bonds.

Student loans, §6-81-119.

Universities and colleges.

Buildings.

Bond issues, §6-62-312.

Student loans.

See STUDENT LOANS.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

BOND ISSUES —Cont'd**Universities and colleges.**

Buildings and facilities.

See UNIVERSITIES AND COLLEGES.

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-725.

See UNIVERSITIES AND COLLEGES.

University of Arkansas.

Legal education fund, §§6-64-607 to 6-64-619.

See UNIVERSITY OF ARKANSAS.

Vocational education and rehabilitation.

Buildings, §6-51-216.

BONDS, SURETY.

Residence and correspondence schools, §6-51-620.

Student loans.

Guarantee foundation.

Disbursing officer, §6-81-203.

Universities and colleges.

Improvement districts.

Collectors and treasurer, §6-71-114.

University of Arkansas.

Board of trustees.

Financial officer, §6-64-211.

Purchasing agent and registrar, §6-64-213.

Military department.

Giving bond to United States to secure use of arms for military department, §6-64-1003.

Execution by surety company.

Amount, §6-64-1003.

BORROWING MONEY.**Universities and colleges.**

Private borrowing, §6-62-105.

BUDGETS.**Community colleges.**

General operations, §6-61-601.

Universities and colleges.

Board of higher education, §6-61-209.

BUILDINGS.**Bond issues.**

Vocational education and rehabilitation, §6-51-216.

Universities and colleges.

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues, §6-61-202.

BUILDINGS —Cont'd**Universities and colleges —Cont'd****Bond issues —Cont'd**

Commission on coordination of
higher education finance.

Advice necessary before issuance,
§6-62-306.

Nonbinding effect of advice on
board of institution,
§6-62-306.

Construction and effect of act,
§6-62-306.

Information submitted to
commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.

Refinancing valid outstanding
obligations.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized,
§6-62-310.

Terms and conditions of bonds,
§6-62-308.

Construction.

Authorized, §6-62-302.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Rents.

Fixing, §6-62-311.

**Vocational education and
rehabilitation.**

Bond issues, §6-61-216.

C**CATASTROPHIC ILLNESS.****University and college employees.**

Catastrophic leave bank program,
§§6-63-601, 6-63-602.

CHIROPRACTIC SCHOOLS.**Tuition assistance for residents**

attending out of state schools,
§6-81-1101.

CHIROPRACTORS.**Tuition assistance for residents**

attending out of state
chiropractic school, §6-81-1101.

COLLEGES.**General provisions.**

See UNIVERSITIES AND
COLLEGES.

COMMUNITY COLLEGES.**Accreditation.**

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Activity fees, §6-61-523.**Adult education.**

Arkansas workforce improvement
grant program, §§6-82-1601 to
6-82-1614.

See UNIVERSITIES AND
COLLEGES.

**Arkansas higher education
performance reporting system,**

§6-61-127.

Authorization for establishment,

§6-61-502.

Blind persons.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Bond issues.

Capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.

Budgets.

General operations, §6-61-601.

Capital improvements.

Bond issues, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.

Capital outlays.

Generally, §6-61-603.

Reorganization act of 1991, §6-53-207.

Community college without walls.

Housing allowance for president of
college, §6-61-525.

COMMUNITY COLLEGES —Cont'd**Contracts.**

Sharing of facilities, personnel and services, §6-61-524.

Definitions, §6-61-501.

Reorganization act of 1991, §6-53-103.

Tech-prep education, §6-53-501.

Districts.

Defined, §6-61-501.

Dissolution, §6-61-519.

Elections.

Formation of districts.

Ballot, §6-61-513.

Conduct of election, §6-61-514.

Date, §6-61-512.

Notification to county board of election commissioners, §6-61-511.

Petition, §6-61-510.

Reconstituted districts, §§6-61-516, 6-61-518.

Results, §6-61-515.

Formation.**Election.**

Reconstituted districts, §§6-61-516, 6-61-518.

Feasibility study, §6-61-507.

Minimum requirements, §6-61-508.

Limitation on number, §6-61-509.

Minimum requirements for establishment, §6-61-508.

Number.

Limitation, §6-61-509.

Reconstituted districts.

Elections on establishment, §§6-61-516, 6-61-518.

Taxation.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

East Arkansas community college.

Housing allowance for president of college, §6-61-525.

Elections.**Districts.**

Formation of districts, §§6-61-510 to 6-61-516. See within this heading, "Districts."

Local boards.

Members, §6-61-520.

Electronic communications.

Privacy policy, §6-61-126.

Equipment pools.

Reorganization act of 1991, §6-53-206.

Establishment.

Authority, §6-61-502.

Federal aid.

State community college board.

Administration of funds, §6-61-506.

COMMUNITY COLLEGES —Cont'd**Fees.**

Activity fees, §6-61-523.

Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.

Student fees, §6-61-523.

Finance.**Budgets.**

General operations, §6-61-601.

Capital outlays.

Generally, §6-61-603.

Sources of funds, §6-61-603.

General operations.

Budgets, §6-61-601.

State funds, §6-61-601.

Taxation.

Millage taxes, §6-61-602.

Garland county community college.

Housing allowance for president of college, §6-61-525.

Housing allowance for presidents, §§6-61-521, 6-61-525.**Identification cards.**

Student or employee identification cards.

Prohibited use of social security number, §6-61-128.

Illiteracy.

Reorganization act of 1991.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Junior colleges.

Division of community junior colleges.

Creation, §6-61-504.

Licenses.

Motor vehicles used by schools exempt from license fees, §6-51-101.

Limitation on operation, §6-61-522.**Local boards.**

Appointment or election of members.

Resolution, §6-61-529.

Composition, §6-61-520.

Defined, §6-61-501.

Duties, §6-61-521.

Election of members, §6-61-520.

Resolution for appointment or election of members, §6-61-529.

Powers, §6-61-521.

Purchases from board members and employees, §6-61-613.

Rules and regulations, §6-61-521.

School district representation, §6-61-530.

Terms of members, §6-61-520.

Vacancies, §6-61-520.

COMMUNITY COLLEGES —Cont'd**Mississippi county community college.**

Housing allowance for president of college, §6-61-525.

University center, §6-61-528.

Motor vehicles.

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

National park community college,
§§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY COLLEGE.

North Arkansas community college.

Housing allowance for president of college, §6-61-525.

Northwest Arkansas community college.

Housing allowance for president of college, §6-61-525.

Operations.

Limitations on operation, §6-61-522.

Phillips county community college.

Building trades construction program, §6-61-526.

Housing allowance for president of college, §6-61-525.

Presidents.

Housing allowance for presidents of certain colleges, §6-61-525.

Reorganization act of 1991, §6-53-303.

Privacy policy.

Electronic communications, §6-61-126.

Purchases from employees,

§6-61-613.

Purchasing.

Purchases from board members and employees, §6-61-613.

Registration of motor vehicles.

Vehicles used for school purposes, §6-51-101.

Reorganization act of 1991.**Accreditation.**

Interim accreditation, §6-53-209.

Administration of courses, programs and institutions.

Generally, §6-53-201.

Interim governance, §6-53-209.

Blind vendors who are licensed, §6-53-106.

Capital outlays, §6-53-207.

COMMUNITY COLLEGES —Cont'd
Reorganization act of 1991 —Cont'd**Conversions and consolidations.**

Consolidation procedure, §6-53-405.

Coordination with institutional boards of trustees, §6-53-401.

Effect of conversion on employees and directors, §6-53-107.

Technical colleges.

Acceptance as branch campus of community college, §6-53-404.

Conversion of two-year branches to technical colleges, §6-53-402.

Conversion to community college, §6-53-403.

Two-year branches.

Conversion to community college, §6-53-403.

Conversion to technical colleges, §6-53-402.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Definitions, §6-53-103.

Tech-prep education, §6-53-501.

Effect of chapter on existing law, §6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding, §6-53-105.

Illiteracy.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Interim accreditation and governance, §6-53-209.

Presidents, §6-53-303.

Purpose of chapter, §6-53-102.

State board of higher education.

Duties, §6-53-203.

Powers, §6-53-203.

Technical colleges designated part of system, §6-53-301.

Local board administration, §§6-53-301, 6-53-302.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to receive, §6-53-505.

Generally, §6-53-501.

Grants for tech-prep education, §6-53-502.

Applications, §6-53-503.

Factors considered in approving, §6-53-504.

COMMUNITY COLLEGES —Cont'd
Reorganization act of 1991 —Cont'd

Title of chapter, §6-53-101.

Transfer programs.

Approval of programs, §6-53-205.

Transfers to system after July 1, 1991,
 §6-53-210.

Transportation of students, §6-53-305.

Tuition and fees, §6-53-304.

Resolutions.

Appointment or election of members,
 §6-61-529.

Rich Mountain community college,
 §§6-61-701 to 6-61-708.

See RICH MOUNTAIN COMMUNITY
 COLLEGE.

Rules and regulations.

Local boards, §6-61-521.

Satellite campuses.

County support, §6-53-307.

Social security number.

Student or employee identification
 cards, §6-61-126.

South Arkansas community college.

Housing allowance for president,
 §6-61-525.

State community college board,
 §6-61-501.

Defined, §6-61-501.

Duties, §6-61-505.

Administration of funds, §6-61-506.

Powers, §6-61-505.

Student fees, §6-61-523.

Taxation.

Districts.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.

Millage tax, §6-61-503.

Motor vehicles used by schools exempt
 from taxes, §6-51-101.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to
 receive, §6-53-505.

Generally, §6-53-501.

Grants for tech-prep education,
 §6-53-502.

Applications, §6-53-503.

Factors considered in approving,
 §6-53-504.

Transfer programs.

Approval of programs, §6-53-205.

Transportation of students,
 §6-53-305.

Tuition, §6-53-304.

COMMUNITY COLLEGES —Cont'd
Universities and colleges.

Agreements for sharing facilities,
 personnel and services, §6-61-524.

**COMMUNITY COLLEGE WITHOUT
 WALLS.**

President.

Housing allowance, §6-61-525.

CONSERVATION.

Universities and colleges.

Courses of study, §6-61-107.

CONSOLIDATION.

Community colleges.

Reorganization act of 1991.

Conversions and consolidations.

See COMMUNITY COLLEGES.

**CONSTITUTION OF THE UNITED
 STATES.**

Universities and colleges.

Course in United States constitution.

Required, §6-61-106.

CONSTRUCTION.

Universities and colleges.

Buildings.

Self-liquidating projects, §6-62-307.

Improvement districts.

Inducing existing institution to move
 to district, §6-71-141.

University of Arkansas.

Legal education fund.

Facilities for legal education,
 §6-64-620.

Technology institute.

Improvement and construction of
 property authorized, §6-64-805.

**Vocational education and
 rehabilitation.**

Housing construction program.

See VOCATIONAL EDUCATION
 AND REHABILITATION.

CONSTRUCTION INDUSTRY

**CRAFT TRAINING, §§6-55-101 to
 6-55-107.**

**Arkansas construction industry
 craft training trust fund,**

§6-55-107.

Citation of act, §6-55-101.

Creation of program, §6-55-103.

Legislative declaration, §6-55-102.

Permits.

Surcharge to fund program, §6-55-106.

Trust fund, §6-55-106.

Planning, §6-55-104.

Purpose of provisions, §6-55-102.

**Requirements for apprenticeship
 program, §6-55-106.**

CONSTRUCTION INDUSTRY**CRAFT TRAINING —Cont'd****Rules and regulations**, §6-55-108.**State apprenticeship coordination steering committee.**

Planning duties, §6-55-104.

Program plan, §6-55-105.

Rules and regulations, §6-55-108.

Title of act, §6-55-101.**CONSTRUCTIVE SERVICE.****Universities and colleges.**

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.**CONTEMPT.****Residence and correspondence schools**, §6-51-619.**CONTRACTS.****Community colleges.**

Sharing of facilities, personnel and services, §6-61-524.

Technical colleges, §6-53-302.

Municipal contracts, §6-53-308.

Nurses.

Nursing student loan revolving fund.

Written loan contract requirement,
§6-81-1408.**Residence and correspondence schools.**

Contracts and promissory notes of unlicensed schools, §6-51-613.

Recovery of tuition, §6-51-613.

Void, §6-51-613.

Student loans.

Bondholders or obligation holders.

Authority.

Enforcement of terms of contract between authority and holder,
§6-81-115.

Services.

Contract with certain entities authorized, §6-81-129.

Vesting students with contractual capacity, §6-81-125.

Technical colleges.

Local board, §6-53-302.

Municipal contracts, §6-53-308.

Universities and colleges.

Faculty/administrator development fellows program.

Written contract required,
§6-63-410.

Military training property and equipment, §6-62-102.

CONTRACTS —Cont'd**Universities and colleges —Cont'd**Southern regional education compact.
Board.

Cooperation and contracts with board, §6-61-402.

Transfer and lease of property of state university.

Execution of contracts, §6-62-605.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.

United States.

Authority to contract with

United States government,
§6-64-713.

Research, education and technical extension.

Authority to contract to perform research services, §6-64-905.

Authorization of contracts,
§6-64-908.

Technology institute.

Research contracts, §6-64-804.

Vocational education and rehabilitation.

Postsecondary vocational and technical education.

Local board of directors.

Contractual authority, §6-51-904.

Private organizations, §6-50-101.

CONVEYANCES.**Universities and colleges.**

Transfer and lease of state university property.

Instruments of conveyance,
§6-62-611.

Trusts and trustees.

Trust conveyances to state for higher learning institutions.

See UNIVERSITIES AND COLLEGES.

CORPORATIONS.**Universities and colleges.**

Incorporation.

See UNIVERSITIES AND COLLEGES.

CORRESPONDENCE SCHOOLS.**Residence and correspondence schools**, §§6-51-601 to 6-51-623.

See RESIDENCE AND

CORRESPONDENCE SCHOOLS.

COSTS.**University of Arkansas.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.

COTTON.**University of Arkansas.**

- Agricultural experiment stations.
- Cotton branch, §6-64-709.

COTTON BOLL TECHNICAL INSTITUTE.**Merger and name change, §§6-59-101 to 6-59-111.**

- See ARKANSAS NORTHEASTERN COLLEGE.

COUNTIES.**Sales and use taxes.**

- Satellite campuses of community colleges.
- Designation of undedicated tax for capital improvements, §6-53-307.
- Technical college support.
- Designation of undedicated tax or capital improvements, §6-53-307.

University of Arkansas.

- Agricultural experiment stations.
- Appropriations by counties, §6-64-704.

University of Arkansas for medical sciences.

- State medical center.
- Quota of patients from counties, §6-64-505.
- Failure to pay, §6-64-507.
- Indigent persons, §6-64-507.

CRAFT TRAINING.**Construction industry craft training, §§6-55-101 to 6-55-107.**

- See CONSTRUCTION INDUSTRY CRAFT TRAINING.

CRIMINAL LAW AND PROCEDURE.**Education.**

- Agricultural colleges.
- Board of trustees.
- Violation of oath.
- Arkansas State university, §6-65-201.
- Arkansas Tech university, §6-65-301.
- Southern Arkansas university, §6-65-401.
- Faculty and employees.
- Hiring restrictions, §6-65-107.
- Sale of farm products.
- Disposition of proceeds, §6-65-110.
- Arkansas State university.
- Board of trustees.
- Violation of oath, §6-65-201.
- Arkansas Tech university.
- Board of trustees.
- Violation of oath, §6-65-301.

CRIMINAL LAW AND PROCEDURE**—Cont'd****Education —Cont'd**

- Henderson State university.
- Board of trustees.
- Violation of oath, §6-66-101.
- Postsecondary institutions.
- Course requirements, §6-61-105.
- Incorporation and certification requirements, §6-61-301.
- Private residence and correspondence schools, §6-51-615.
- Denial or suspension of admissions representative's license, §6-51-615.
- Operating school without, §6-51-612.
- Southern Arkansas university.
- Board of trustees.
- Violation of oath, §6-65-401.
- University of Arkansas.
- Records and reports regarding students and teachers.
- Failure to keep or report, §6-64-215.
- University of Central Arkansas.
- Board of trustees.
- Violation of oath, §6-67-102.
- University of Arkansas.
- Records and reports regarding students and teachers.
- Failure to keep or report, §6-64-215.

CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM, §§6-82-1501 to 6-82-1506.**Administration of program, §6-82-1505.****Citation of act, §6-82-1501.****Committee.**

- Establishment, §6-82-1506.

Establishment, §6-82-1502.**Minority defined, §6-82-1503.****Purpose, §6-82-1502.****Rules and regulations, §6-82-1505.****Service requirement for scholarship recipients, §6-82-1504.****Title of act, §6-82-1501.****D****DAMAGES.****Universities and colleges.**

- Improvement districts.
- Real property.
- Petition to acquire private property.
- Deposit to cover damages prior to determination, §6-71-140.

DAMAGES —Cont'd**Universities and colleges —Cont'd**

Improvement districts —Cont'd

Real property —Cont'd

Petition to acquire private
property —Cont'dDetermination of damages,
§6-71-140.

Payment of damages, §6-71-140.

DATA PROCESSING.**Universities and colleges.**

Defined, §6-61-101.

DEAF PERSONS.**American sign language.**

Universities and colleges.

Qualification of American sign
language as foreign language,
§6-61-125.**Education.**Arkansas institution for advocacy for
the deaf, §§6-61-118 to 6-61-120.**Sign language.**

Universities and colleges.

American sign language as foreign
language, §6-61-125.**Universities and colleges.**American sign language as foreign
language, §6-61-125.Arkansas institution for advocacy for
the deaf, §§6-61-118 to 6-61-120.**Vocational education and
rehabilitation.**See VOCATIONAL EDUCATION AND
REHABILITATION.**DEFAULTS.****Student loans.**

Collection, §6-81-128.

DEFINED TERMS.**Academic ability.**Arkansas workforce improvement
grant program, §6-82-1602.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Scholarships, §6-82-202.

Academic department.

Postsecondary institutions, §6-61-222.

**Academic department and program
expenditures.**

Postsecondary institutions, §6-61-222.

**Academic department and program
revenues.**

Postsecondary institutions, §6-61-222.

Academic program.

Postsecondary institutions, §6-61-222.

Account.Tax-deferred tuition savings program,
§6-84-103.**DEFINED TERMS —Cont'd****Account owner.**Tax-deferred tuition savings program,
§6-84-103.**Admissions representative.**

VO-TECH schools, §6-51-602.

Adult education program.Arkansas northeastern college,
§6-59-101.Arkansas state university-Searcy,
§6-56-101.National park community college,
§6-58-101.**Agent.**

VO-TECH schools, §6-51-602.

Applied general education courses.Arkansas northeastern college,
§6-59-101.Arkansas state university-Searcy,
§6-56-101.National park community college,
§6-58-101.**Apprenticeship training programs.**

Vo-Tech training, §6-52-201.

Approved high technology program.High technology scholarships,
§6-82-401.**Approved institution.**Academic challenge scholarships,
§6-82-1002.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Second effort scholarships, §6-82-1102.

Approved private institution.Arkansas workforce improvement
grant program, §6-82-1602.

Scholarships, §6-82-202.

Approved public institution.Arkansas workforce improvement
grant program, §6-82-1602.

Scholarships, §6-82-202.

**Arkansas department of public
health.**Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.**Arkansas school of nursing.**Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.**Articulation agreement.**

Tech-prep education grants, §6-53-501.

Assessors.College and university improvements,
§6-71-101.**Athletic deficit.**

Funding, §6-62-802.

DEFINED TERMS —Cont'd**Athletic expenditures.**

Education, §§6-62-106, 6-62-802.

Athletic program.

Funding, §6-62-802.

Bank funds.

Finances of state institutions,
§6-62-601.

Basic skills training.

Existing workforce training act,
§6-50-702.

BAT.

Vo-Tech training, §6-52-201.

Board of finance.

Student loans, §6-81-101.

Board of trustees.

Postsecondary institutions, §6-61-1002.

Bonds.

Postsecondary institutions, §6-61-1002.
Student loans, §6-81-101.

Branch campus of the community college.

Postsecondary education
reorganization, §6-53-103.

Capital improvements.

Postsecondary institutions, §6-61-1002.

Capital outlay expense.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §6-61-501.

Catastrophic illness.

Employees of state institutions,
§6-63-601.

Catastrophic leave.

Employees of state institutions,
§6-63-601.

Catastrophic leave bank.

Employees of state institutions,
§6-63-601.

Child.

Education, §6-82-501.

Classroom training.

Existing workforce training act,
§6-50-702.

Collector.

College and university improvements,
§6-71-101.

Combination school.

Vo-Tech schools, §6-51-602.

Community college.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §§6-61-501,
6-61-1002.

Company.

Existing workforce training act,
§6-50-702.

DEFINED TERMS —Cont'd**Competitive examination.**

Governor's scholarships, §6-82-302.

Consortium.

Existing workforce training act,
§6-50-702.

Corporate limits.

College and university improvements,
§6-71-101.

Correspondence school.

VO-TECH schools, §6-51-602.

Cost of higher education.

College savings bonds, §6-62-703.

Costs of issuance.

Postsecondary institutions, §6-61-1002.

Credit certificate.

Arkansas workforce improvement
grant program, §6-82-1602.

Data processing.

Postsecondary institutions, §6-61-101.

Debt adjuster, §6-63-301.**Debt service.**

College savings bonds, §6-62-703.
Postsecondary institutions, §6-61-1002.

Dependent.

Children of prisoners of war,
§6-82-601.

Designated beneficiary.

Tax-deferred tuition savings program,
§6-84-103.

Develop.

College savings bonds, §6-62-703.

District.

College and university improvements,
§6-71-101.

Postsecondary education
reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

Electronic communication.

Universities and colleges, §6-61-126.

Eligible recipient.

Existing workforce training act,
§6-50-702.

Eligible student.

Academic challenge scholarships,
§6-82-1002.

Arkansas workforce improvement
grant program, §6-82-1602.

Governor's scholarships, §6-82-302.

Second effort scholarships, §6-82-1102.

Employee.

Catastrophic leave bank, §6-63-601.

Enrollee.

VO-TECH schools, §6-51-602.

Established policies.

Postsecondary institutions, §6-61-208.

Existing community college.

Postsecondary education
reorganization, §6-53-103.

DEFINED TERMS —Cont'd**Extension course site.**

VO-TECH schools, §6-51-602.

Extraordinary academic ability.

Governor's scholarships, §6-82-302.

Financial need.

Academic challenge scholarships,
§6-82-1002.

Arkansas workforce improvement
grant program, §6-82-1602.

Scholarships, §6-82-202.

Firefighter.

Children's scholarships, §6-82-501.

**Five-year teacher education
program.**

State teacher assistance resource
program, §6-81-1502.

**Four-year teacher education
program.**

State teacher assistance resource
program, §6-81-1502.

Full-time instructor or trainer.

Existing workforce training act,
§6-50-702.

Full-time student.

Arkansas workforce improvement
grant program, §6-82-1602.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Scholarships, §6-82-202.

Full-time undergraduate student.

Academic challenge scholarships,
§6-82-1002.

Governing council.

Existing workforce training act,
§6-50-702.

Graduate courses.

Postsecondary institutions, §6-61-528.

Graduate program.

Postsecondary institutions, §6-61-528.

Grant.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Gross tuition.

Residents and correspondence schools,
§6-51-620.

Guaranteed educational loan.

Student loans, §6-81-101.

Health care institution.

Vo-Tech schools, §6-51-701.

Higher education institution.

Tax-deferred tuition savings program,
§6-84-103.

Income.

Finances of state institutions,
§6-62-106.

DEFINED TERMS —Cont'd**Industrial quality eye protective
devices.**

Postsecondary institutions, §6-61-108.

VO-TECH schools, §6-51-102.

Institution of higher education.

College savings bonds, §6-62-703.

Electronic versions of instructional
materials, §6-68-101.

Selective service act compliance,
§6-80-102.

Institution of higher learning.

College savings bonds, §6-62-703.

Instructional material or materials.

Electronic versions of instructional
materials, §6-68-101.

Internal training.

Existing workforce training act,
§6-50-702.

Law enforcement officer.

Children's scholarships, §6-82-501.

Lease agreement.

Property of state institutions,
§6-62-601.

Legal education fund, §6-64-604.**Local board.**

Postsecondary education
reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

**Master's or doctoral nursing
education program.**

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Member of the family.

Tax-deferred tuition savings program,
§6-84-103.

Minor child.

Universities and colleges, §6-60-210.

Minority.

Geographical critical needs minority
teacher scholarship program,
§6-82-1503.

Higher education minority retention
programs, §6-61-121.

Universities and colleges.

Reporting minority enrollment,
§6-61-124.

New unit of instruction.

Postsecondary institutions, §6-61-208.

Nonprinted instructional materials.

Electronic versions of instructional
materials, §6-68-101.

Nonqualified withdrawal.

Tax-deferred tuition savings program,
§6-84-103.

Nurse educator.

Loans and scholarships, §6-81-1201.

DEFINED TERMS —Cont'd**Obligations.**

Student loans, §6-81-101.

Operating expense.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §6-61-501.

Ordinance delivery.

Children of prisoners of war.
Scholarships, §6-82-601.

Owner.

Property of state institutions,
§6-62-601.

Panel.

Postsecondary education
reorganization, §6-53-103.

Participating institution.

Student loans, §6-81-101.
Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Person.

College savings bonds, §6-62-703.
Property of state institutions,
§6-62-601.

Person killed in action.

Children's scholarships, §6-82-601.

Person killed on ordinance delivery.

Children's scholarships, §6-82-601.

Person missing in action.

Children's scholarships, §6-82-601.

Preparatory instruction.

VO-TECH training, §6-52-201.

Primary care medicine.

Rural medical practice student loans
and scholarships, §6-81-701.

Primary care nursing.

Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.

Printed instructional materials.

Electronic versions of instructional
materials, §6-68-101.

Prisoner of war.

Children's scholarships, §6-82-601.

Private career education arbitration panel.

Vo-Tech schools, §6-51-602.

Productivity by academic program.

Postsecondary institutions, §6-61-222.

Program of study.

Vo-Tech schools, §6-51-602.

Program sponsor.

Vo-Tech training, §6-52-201.

Project.

College savings bonds, §6-62-703.
Postsecondary institutions, §6-61-1002.

DEFINED TERMS —Cont'd**Project costs.**

College savings bonds, §6-62-703.
Postsecondary institutions, §6-61-1002.

Pupil.

Vo-Tech schools, §6-51-602.

Qualified borrower.

Student loans, §6-81-101.

Qualified grantee.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

Qualified higher education expenses.

Tax-deferred tuition savings program,
§6-84-103.

Qualified student.

Arkansas workforce improvement
grant program, §6-82-1602.
Education, §6-60-202.
Scholarships, §6-82-202.

Qualified withdrawal.

Tax-deferred tuition savings program,
§6-84-103.

Real property.

College and university improvements,
§6-71-101.

Recipient.

Academic challenge scholarship
program, §6-82-1002.

Related instruction.

VO-TECH training, §6-52-201.

Residential school.

VO-TECH schools, §6-51-602.

Rural community.

Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.
Rural medical practice student loans
and scholarships, §6-81-701.

Satellite campus.

Postsecondary education
reorganization, §6-53-103.

Satellite school.

VO-TECH schools, §6-51-602.

Scholarship.

Governor's scholarships, §6-82-302.
High technology scholarships,
§6-82-401.

School.

VO-TECH schools, §6-51-602.

Service area.

Postsecondary education
reorganization, §6-53-103.

Solicitor.

VO-TECH schools, §6-51-602.

Specialized format.

Electronic versions of instructional
materials, §6-68-101.

DEFINED TERMS —Cont'd**State correction employee.**

Children scholarships, §6-82-501.

State forestry employee.

Children scholarships, §6-82-501.

State highway employee.

Children's scholarships, §6-82-501.

State institution of higher education.

College savings bonds, §6-62-703.

State legal education fund, §6-64-604.**Statement of selective service status, §6-80-104.**

Postsecondary education, §6-80-102.

State parks employee.

Children scholarships, §6-82-501.

State scholarship.

Education, §6-82-202.

State subsidy.

Postsecondary institutions, §6-61-222.

State-supported educational institution.

Existing workforce training act,
§6-50-702.

Structural integrity.

Electronic versions of instructional materials, §6-68-101.

Student.

VO-TECH schools, §6-51-602.

Supplementary instruction.

VO-TECH training, §6-52-201.

System institution.

Postsecondary education reorganization, §6-53-103.

Teacher.

Children scholarships, §6-82-501.

Technical college.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-1002.

Tech-prep education program.

Postsecondary education reorganization, §6-53-501.

The technical preparation core curriculum.

Academic challenge scholarships,
§6-82-1005.

Trainee.

VO-TECH schools, §6-51-602.

Transfer.

Property of state institutions,
§6-62-601.

Tuition.

Academic challenge scholarship program, §6-82-1006.

Academic challenge scholarships,
§6-82-1002.

DEFINED TERMS —Cont'd**Tuition —Cont'd**

Arkansas workforce improvement grant program, §6-82-1602.

Second effort scholarships, §6-82-1102.

Undergraduate student.

Governor's scholarships, §6-82-302.

Second effort scholarships, §6-82-1102.

Unemancipated child.

Academic challenged scholarships,
§6-82-1002.

Upper-level course.

Postsecondary institutions, §6-61-528.

Upper-level program.

Postsecondary institutions, §6-61-528.

Vo-Tech.

VO-TECH training, §6-52-201.

Workforce improvement grant.

Adult higher education, §6-82-1602.

DENTISTRY SCHOOLS.**Tuition assistance for residents attending out of state schools, §6-81-1101.****DENTISTS.****Education.**

Out-of-state professional dental programs.

Repayment of tuition by state of Arkansas, §§6-81-1103,
6-81-1104.

Tuition assistance for residents attending out-of-state schools,
§6-81-1101.

University of Arkansas.

School of dental hygiene.
Established, §6-64-411.

DEPARTMENT OF HIGHER EDUCATION.

See UNIVERSITIES AND COLLEGES.

DISABLED PERSONS.**Universities and colleges.**

Immunization of enrollees.
Physical disabilities, §6-60-504.

Vocational education and rehabilitation.

See VOCATIONAL EDUCATION AND REHABILITATION.

DISCRIMINATION.**Teachers.**

Enhancement and retraining grant program.

Discrimination prohibited,
§6-81-606.

Universities and colleges.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of subchapter, §6-62-806.

DISCRIMINATION —Cont'd**Universities and colleges —Cont'd**

Electronic versions of instructional materials.

Failure to comply with provisions as act of discrimination, §6-68-108.

Employees.

Affirmative action programs, §6-63-103.

DISEASES.**Universities and colleges.**

Immunization of enrollees, §§6-60-501 to 6-60-504.

See UNIVERSITIES AND COLLEGES.

Meningococcal disease warning, §6-61-123.

DISTRICTS.

Agricultural colleges, §§6-65-101 to 6-65-112.

See AGRICULTURAL COLLEGES.

Technical college districts, §§6-53-601 to 6-53-605.

See TECHNICAL COLLEGE DISTRICTS.

Universities and colleges.

Improvement districts, §§6-71-101 to 6-71-142.

See UNIVERSITIES AND COLLEGES.

Vocational education and rehabilitation.

Schools, §6-51-215.

E**EASEMENTS.****Agricultural colleges.**

Arkansas Polytechnic College.

Authority to grant easements, §6-65-305.

Proceeds.

Disposition, §6-65-305.

EAST ARKANSAS COMMUNITY COLLEGE.**President.**

Housing allowance, §6-61-525.

EDUCATION.**Adults.**

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Blind persons.

Arkansas institution for advocacy for the blind, §§6-61-115 to 6-61-117.

EDUCATION —Cont'd**Bond issues.**

Buildings.

Vocational education and rehabilitation, §6-51-216.

Correspondence schools.

Residence and correspondence schools, §§6-51-601 to 6-51-623.

See RESIDENCE AND CORRESPONDENCE SCHOOLS.

Courses of study.

Drugs, §6-61-217.

Minimum core courses for college prep, §6-61-217.

Deaf persons.

Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.

Definitions.

Governor's scholars program, §6-82-302.

High-tech scholarship program, §6-82-401.

Dental students.

Out-of-state professional dental programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Department of education.

Division transfer to department generally, §§6-52-101 to 6-52-105.

See VOCATIONAL EDUCATION AND REHABILITATION.

Department of higher education.

See UNIVERSITIES AND COLLEGES.

Employees.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

Eye protection.

Universities and colleges, §6-61-108.

Vocational and technical schools, §6-51-102.

Faculty involvement program,

§6-63-502.

Governor's scholars program.

Academic ability.

Defined, §6-82-302.

Administration of program, §6-82-304.

Allocation of scholarships, §6-82-311.

Amount of scholarships, §6-82-312.

Approved institutions.

Defined, §6-82-302.

EDUCATION —Cont'd**Governor's scholars program**

—Cont'd

Arkansas governor's distinguished scholars.

Designation of students as,
§6-82-306.

Recipients known as, §6-82-305.

Arkansas governor's scholars.

Recipients known as, §6-82-305.

Award of scholarships, §6-82-309.

Baccalaureate degree.

Scholarships not to be utilized for purposes beyond, §6-82-310.

Creation of program, §6-82-303.

Definitions, §6-82-302.

Department of higher education.

Administration of program,
§6-82-304.

Award of scholarships.

Manner to be determined by department, §6-82-309.

Defined, §6-82-302.

Determinations by legislature,
§6-82-301.

Duration of scholarships, §6-82-311.

Eligibility for award, §6-82-306.

Eligible student.

Defined, §6-82-302.

Establishment of program, §6-82-303.

Examinations.

Competitive examination.

Defined, §6-82-302.

Full-time student.

Defined, §6-82-302.

Geographic distribution of scholarships, §6-82-308.

Legislative declaration, §6-82-301.

Maximum amount of scholarships,
§6-82-312.

Number of scholarships, §6-82-308.

Qualifications of applicants, §6-82-306.

Refunds, §6-82-314.

Renewal of scholarships, §6-82-311.

Responsibility of applicants, §6-82-307.

Rules and regulations.

Responsibilities of applicant,
§6-82-307.

Termination of scholarships,
§6-82-313.

Term of scholarships, §6-82-311.

Undergraduate student.

Defined, §6-82-302.

Use of scholarship, §6-82-310.

Withdrawal from school.

Refund, §6-82-314.

EDUCATION —Cont'd**Grants.**

Teacher and administrator enhancement and retraining grant programs, §§6-81-601 to 6-81-606.
See TEACHERS.

Henderson State University,

§§6-66-101 to 6-66-113.

See HENDERSON STATE UNIVERSITY.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

High schools.

Enrollment of high school students as part-time students in institutions of higher education, §6-60-202.

High-Tech scholarship program.

Academic ability.

Defined, §6-82-401.

Administration, §6-82-403.

Allocation of scholarships, §6-82-409.

Amount of scholarships, §6-82-408.

Applications.

Requirements, §6-82-405.

Approved high technology program.

Defined, §6-82-401.

Approved institutions.

Defined, §6-82-401.

Award of scholarships, §6-82-406.

Number of scholarships, §6-82-407.

Citation of program, §6-82-402.

Created, §6-82-402.

Definitions, §6-82-401.

Division.

Authority, §6-82-403.

Award of scholarship.

Manner to be determined by division, §6-82-406.

Defined, §6-82-401.

Duration of scholarships, §6-82-409.

Eligibility for scholarship, §6-82-404.

Established, §6-82-402.

Full-time student.

Defined, §6-82-401.

Maximum amount of scholarships,
§6-82-408.

Number of scholarships, §6-82-407.

Refunds, §6-82-410.

Renewal of scholarships, §6-82-409.

Responsibility of applicant, §6-82-405.

Scholarship.

Defined, §6-82-401.

Term of scholarships, §6-82-409.

Withdrawal from school.

Refunds, §6-82-410.

EDUCATION —Cont'd**Loans.**

Student loans.

General provisions.

See STUDENT LOANS.

**Private residence and
correspondence schools,**
§§6-51-601 to 6-51-623.

See RESIDENCE AND
CORRESPONDENCE SCHOOLS.

Residence schools.

Residence and correspondence schools,
§§6-51-601 to 6-51-623.

See RESIDENCE AND
CORRESPONDENCE
SCHOOLS.

Scholarships.

High-Tech scholarship program. See
within this heading, "High-Tech
scholarship program."

Universities and colleges.

See UNIVERSITIES AND
COLLEGES.

School districts.

Faculty involvement program,
§6-63-502.

**Southern regional education
compact.**

Board.

Contracts in cooperation with boards
of trustees of universities and
colleges and community
colleges, §6-61-402.

Universities and colleges.

Cooperation with board, §6-61-402.

Universities and colleges.

General provisions.

See UNIVERSITIES AND
COLLEGES.

**University of Arkansas, §§6-64-101 to
6-64-1010.**

See UNIVERSITY OF ARKANSAS.

**University of Central Arkansas,
§§6-67-101 to 6-67-114.**

See UNIVERSITY OF CENTRAL
ARKANSAS.

ELECTIONS.**Community colleges.**

Local boards.

Members, §6-61-520.

Notice.

Technical college districts.

Formation and ad valorem tax levy,
§6-53-602.

Technical college districts.

Formation and ad valorem tax levy,
§6-53-602.

ELECTIONS —Cont'd**Universities and colleges.**

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

E-MAIL.**Universities and colleges.**

Privacy policy regarding electronic
communications, §6-61-126.

EMINENT DOMAIN.**Agricultural colleges.**

Arkansas State University, §6-65-203.

Appeals, §6-65-203.

Procedure, §6-65-203.

Southern Arkansas University,
§6-65-403.

Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

Henderson State University.

Appeals.

Attorney general to handle,
§6-66-112.

Authority of university, §6-66-112.

Prosecuting attorney to institute
proceedings, §6-66-112.

Resolution as to necessity, §6-66-112.

Universities and colleges.

Action brought in name of board of
trustees, §6-62-201.

Granting power to state colleges and
universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting
attorneys to represent board,
§6-62-201.

Procedure followed in action,
§6-62-201.

Resolution, §6-62-201.

EMPLOYERS AND EMPLOYEES.**University of Arkansas.**

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

**EXISTING WORKFORCE TRAINING
ACT, §§6-50-701 to 6-50-705.**

Basic skills training.

Defined, §6-50-702.

Citation, §6-50-701.**Creation of program, §6-50-703.****Definitions, §6-50-702.**

EXISTING WORKFORCE TRAINING**ACT —Cont'd****Eligible recipients.**

Defined, §6-50-702.

Grant funds.

Uses, §6-50-705.

Program, §6-50-703.

Rules and regulations, §6-50-704.

Purpose, §6-50-703.**Rules and regulations, §6-50-704.****Short title, §6-50-701.****Tax credits, §6-50-704.**

Uses, §6-50-705.

**Uses for grant funds or tax credits,
§6-50-705.****EYE PROTECTION.****Education.**

Universities and colleges, §6-61-108.

Vocational and technical schools,
§6-51-102.**F****FAX MACHINES.****Universities and colleges.**Privacy policy regarding electronic
communications, §6-61-126.**FEDERAL AID.****Agricultural colleges.**

Arkansas State University.

Participation in federal aid.

Authorized, §6-65-205.

Community colleges.

State community college board.

Administration of funds, §6-61-506.

Henderson State University.

Participation in federal and state aid.

Authorized, §6-66-103.

Universities and colleges.

Board of higher education.

State agency for federal programs,
§6-61-212.Student incentive grant program,
§6-61-401.**University of Arkansas.**

Agricultural experiment stations.

Acceptance of federal aid, §6-64-701.

University of Central Arkansas.

Participation in federal and state aid.

Authorized, §6-67-104.

FEES.**Community colleges.**

Activity fees, §6-61-523.

Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.**FEES —Cont'd****Community colleges —Cont'd**

Student fees, §6-61-523.

**Residence and correspondence
schools.**

Extension course sites, §6-51-608.

Investigations.

Witness fees and mileage, §6-51-619.

Licenses, §6-51-610.

Satellite schools, §6-51-608.

Universities and colleges.

Aged persons.

Waiver of general student fee
charges for persons over sixty,
§6-60-204.

Motor vehicles.

License fees, §6-51-101.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.**University of Arkansas.**

Agricultural experiment stations.

Seed-testing laboratory, §6-64-711.

**University of Arkansas for medical
sciences.**

Medical department.

Collection and disposition,
§6-64-408.Matriculation and tuition fees,
§6-64-408.**Vocational education and
rehabilitation.**Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.

Student fees, §6-51-208.

Disposition of income, §6-51-210.

FINANCE.**Universities and colleges.**See UNIVERSITIES AND
COLLEGES.**FINES.****Agricultural colleges.**

Board of trustees.

Violation of oath.

Arkansas State University,
§6-65-201.Arkansas Tech University,
§6-65-301.Southern Arkansas University,
§6-65-401.

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

FINES —Cont'd**Arkansas Tech University.**

Board of trustees.

Violation of oath, §6-65-301.

Correspondence courses.

Licenses, §6-51-612.

Violation of chapter, §6-51-615.

Education.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification requirements, §6-61-301.

Henderson State University.

Board of trustees.

Violation of oath, §6-66-101.

Private residence and correspondence schools.

Licenses.

Operating school without, §6-51-612.

Violations of chapter, §6-51-615.

Residence and correspondence schools, §6-51-618.**Southern Arkansas University.**

Board of trustees.

Violation of oath, §6-65-401.

University of Central Arkansas.

Board of trustees.

Violation of oath, §6-67-102.

FOOTBALL.**University of Arkansas.**

Athletics instruction fund, §6-64-1004.

Football coach.

Five-year contract authorized, §6-64-1004.

Payment of salary from athletics instruction fund, §6-64-1004.

Radio broadcasts, §6-64-104.

FOOTHILLS TECHNICAL INSTITUTE.**Arkansas state university-Searcy.**

Merger and name change, §§6-56-101 to 6-56-110.

See ARKANSAS STATE UNIVERSITY-SEARCY.

FORMS.**Universities and colleges.**

Improvement districts.

Assessments.

Collection of assessments, §§6-71-116, 6-71-117.

FUNDS.**Arkansas construction industry craft training trust fund, §6-55-107.****Arkansas State University-Beebe fund, §6-65-216.****FUNDS —Cont'd****Construction industry craft training trust fund, §6-55-106.****Higher education consolidation matching fund, §6-60-102.****Residence and correspondence schools.**

Private career school student protection trust fund, §6-51-607.

Student loans.

Guaranty foundation.

See STUDENT LOANS.

Trust funds.

Private career school student protection trust fund, §6-51-607.

Universities and colleges.

Faculty/administrator development fellows program.

Matching funds.

See UNIVERSITIES AND COLLEGES.

Higher education consolidation matching fund, §6-60-102.

Research development.

See UNIVERSITIES AND COLLEGES.

University of Central Arkansas.

Board of trustees.

Duties of treasurer of state, §6-67-111.

Vocational education and rehabilitation.

Housing construction program.

Building trades revolving fund.

Creation, §6-51-501.

Disbursing officer.

Designation, §6-51-510.

Sale of units.

Deposit of sale money in fund, §6-51-508.

G**GARLAND COUNTY COMMUNITY COLLEGE.****Name change, §§6-58-101 to 6-58-112.**

See NATIONAL PARK COMMUNITY COLLEGE.

President.

Housing allowance, §6-61-525.

GATEWAY**VOCATIONAL-TECHNICAL SCHOOL, BATESVILLE.****Institution designated as technical college, §6-53-301.****GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM, §§6-82-1501 to 6-82-1506.**

GIFTS.**University of Arkansas.**

Research, education and technical extension.

Research services.

Acceptance of gifts and gifts, §6-64-905.

Vocational education and rehabilitation.

Area vocational-technical and adult education schools.

Acceptance of gifts and donations, §6-51-207.

GOVERNOR.**Education.**

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

Scholarships.

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

GRANTS.**Adult education.**

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Education.

Teacher and administrator enhancement and retraining grant programs, §§6-81-601 to 6-81-606.

See TEACHERS.

Universities and colleges.

Selective service act.

Compliance with required, §6-80-102.

GUARDIAN AD LITEM.**Universities and colleges.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad litem for persons under a disability, §6-71-138.

H**HEARINGS.****Residence and correspondence**

schools, §6-51-618.

HEAVY EQUIPMENT OPERATORS.

Arkansas heavy equipment operator training academy, §§6-61-531 to 6-61-533.

HENDERSON STATE UNIVERSITY.**Accounts and accounting.**

Board of trustees, §6-66-110.

Appeals.

Board of trustees.

Removal of members, §6-66-101.

Eminent domain.

Attorney general to handle, §6-66-112.

Attorney general.

Eminent domain.

Appeals handled by attorney general, §6-66-112.

Board of trustees.

Accounts and accounting, §6-66-110.

Appointment of members, §6-66-101.

Composition, §6-66-101.

Creation, §6-66-101.

Duties, §6-66-102.

Expenditures.

Limitations, §6-66-111.

Expenses of members, §6-66-101.

Number of members, §6-66-101.

Oath of office of members, §6-66-101.

Officers, §6-66-101.

Powers, §6-66-102.

Qualifications of members, §6-66-101.

Quorum, §6-66-101.

Removal of members, §6-66-101.

Reports, §6-66-113.

Residence requirements for membership, §6-66-101.

Treasurer custodian of funds, §6-66-110.

Vacancies, §6-66-101.

Eminent domain.**Appeals.**

Attorney general to handle, §6-66-112.

Authority of university, §6-66-112.

Prosecuting attorney to institute proceedings, §6-66-112.

Resolution as to necessity, §6-66-112.

Expenditures.

Limitations, §6-66-111.

Federal aid.

Participation in federal and state aid.

Authorized, §6-66-103.

Oaths.

Board of trustees.

Oath of office, §6-66-101.

Penalties.

Board of trustees.

Oath of office.

Violation, §6-66-101.

Prosecuting attorneys.

Eminent domain.

Proceedings instituted by prosecuting attorney, §6-66-112.

HENDERSON STATE UNIVERSITY

—Cont'd

Reports.

Board of trustees, §6-66-113.

State aid.

Participation in federal and state aid.

Authorized, §6-66-103.

State treasurer.

Board of trustees.

Funds.

Custodian of funds, §6-66-110.

Warrants for the payment of money.

Board of trustees.

Issuance of warrants by auditor,
§6-66-110.**HIGHER EDUCATION.****Department of higher education.**See UNIVERSITIES AND
COLLEGES.**HIGH-TECH SCHOLARSHIP
PROGRAM.**General provisions, §§6-82-401 to
6-82-410.

See EDUCATION.

HISTORY.**Universities and colleges.**Course in American history and civil
government.

Required, §6-61-105.

HUMAN SERVICES DEPARTMENT.**Rehabilitation services division.**Transfer to department of education
generally, §§6-52-101 to 6-52-105.See VOCATIONAL EDUCATION
AND REHABILITATION.**I****IDENTIFICATION CARDS.****Universities and colleges.**Student or employee identification
cards.Prohibited use of social security
number, §6-61-126.**ILLITERACY.****Community colleges.**

Reorganization act of 1991.

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.**Vocational education and
rehabilitation.**

Combating illiteracy.

Priority, §6-51-104.

ILLITERACY —Cont'd**Vocational education and
rehabilitation —Cont'd**Postsecondary vocational and technical
education.

Reorganization act of 1991.

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.**IMMUNITY.****Tax-deferred tuition savings
program, §6-84-112.****IMMUNIZATION.****Universities and colleges.**Immunization of enrollees, §§6-60-501
to 6-60-504.See UNIVERSITIES AND
COLLEGES.**IMPROVEMENT DISTRICTS.**Universities and colleges, §§6-71-101
to 6-71-142.See UNIVERSITIES AND
COLLEGES.**IMPROVEMENTS.****Community colleges.**Bond issues for capital improvements
generally, §§6-61-1001 to
6-61-1014.See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.**Technical colleges.**Bond issues for capital improvements,
§§6-61-1001 to 6-61-1014.See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.**INCOME WITHHOLDING.****University and college employees.**Deductions for contributions to
institutional fundraising,
foundations and capital
campaigns, §6-63-304.**INJUNCTIONS.****Residence and correspondence
schools.**Enjoining violations of provisions,
§6-51-604.**IN REM PROCEEDINGS.****Universities and colleges.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

**INSTITUTION FOR ADVOCACY
FOR THE BLIND**, §§6-61-115 to
6-61-117.

**INSTITUTION FOR ADVOCACY
FOR THE DEAF**, §§6-61-118 to
6-61-120.

INSURANCE.

Universities and colleges.

Employees.

Salary deductions for group
insurance premiums, §6-63-102.

Transfer and lease of state university
property.

Title insurance, §6-62-611.

**Vocational education and
rehabilitation.**

Accident insurance for students,
§6-51-209.

INTEREST.

**Technical college or community
college capital improvement
bonds**, §6-61-1007.

Universities and colleges.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

University of Arkansas.

Revolving loan fund, §6-81-404.

Adding of interest to revolving
perpetual fund, §6-81-408.

INVESTIGATIONS.

**Residence and correspondence
schools**, §6-51-618.

University of Arkansas.

Agricultural experiment stations,
§§6-64-703, 6-64-704.

**University of Arkansas for medical
sciences.**

Medical department.

Rural medical practice student loans
and scholarships.

Applications to be investigated,
§6-81-704.

INVESTMENTS.

Student loans.

Bond issues.

Excess funds, §6-81-122.

Legal and authorized investments,
§6-81-120.

**Tax-deferred tuition savings
program.**

Direction of investment, §6-84-106.

Investment committee, §6-84-105.

Tax exemptions, §6-84-111.

INVESTMENTS —Cont'd

Universities and colleges.

Transfer and lease of state university
property, §6-62-613.

University of Arkansas.

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds,
§6-64-615.

J

JOB TRAINING.

Existing workforce training act,
§§6-50-701 to 6-50-705.

See EXISTING WORKFORCE
TRAINING ACT.

JUNIOR COLLEGES.

Community colleges.

Division of community junior colleges.

Creation, §6-61-504.

JURY.

Universities and colleges.

Improvement districts.

Real property.

Petition to acquire private
property.

Trial by jury, §6-71-140.

L

LABOR.

Vocational education.

Apprenticeship training program,
§§6-52-201 to 6-52-208.

LAW ENFORCEMENT OFFICERS.

Police.

Police corps program, §§6-82-1201 to
6-82-1206.

LAW SCHOOL.

University of Arkansas.

General provisions, §§6-64-601 to
6-64-621.

See UNIVERSITY OF ARKANSAS.

LEASES.

Universities and colleges.

Transfer and lease of property of state
university, §§6-62-601 to 6-62-613.

See UNIVERSITIES AND
COLLEGES.

University of Arkansas.

Research, education and technical
extension.

Leases authorized, §6-64-908.

LIBRARIES.**University of Arkansas.**

- Research, education and technical extension.
- Computer and technical library facilities authorized, §6-64-904.

LICENSES.**Community colleges.**

- Motor vehicles used by schools exempt from license fees, §6-51-101.

Vocational education and rehabilitation.

- Motor vehicles used by schools exempt from license fees, §6-51-101.

LIENS.**Universities and colleges.**

- Improvement districts.
- Assessments, §§6-71-109, 6-71-113.
- Actions to enforce lien.
- See UNIVERSITIES AND COLLEGES.

LIMITATION OF ACTIONS.**University of Arkansas.**

- Revolving loan fund.
- Defenses invalid, §6-81-407.

LOANS.**Education.**

- Student loans.
- General provisions.
- See STUDENT LOANS.

Universities and colleges.

- Private borrowing by institutions of higher education, §6-62-105.
- Selective service act.
- Compliance with required, §6-80-102.
- Student financial aid.
- Anti-stacking, §6-80-105.

LOCAL GOVERNMENTS.**County-wide sales and use tax for capital improvements.**

- Satellite campuses of community colleges.
- Designation of undedicated tax, §6-53-307.
- Technical college support.
- Designation of undedicated tax, §6-53-307.

M**MID-SOUTH****VOCATIONAL-TECHNICAL SCHOOL, WEST MEMPHIS.**

- Institution designated as technical college, §6-53-301.

MILITARY AFFAIRS.**Universities and colleges.**

- Military training property and equipment.
- Contracts for, §6-62-102.
- Prisoners of war or persons missing or killed in action.
- Tuition.
- Free tuition and fees for dependents, §6-82-601.
- Students called into military service, §6-61-112.
- Tuition.
- In-state tuition for military personnel and dependents, §6-60-205.
- Prisoners of war or persons missing or killed in action.
- Free tuition and fees for dependents, §6-82-601.
- Veterans having served between September 16, 1940, and December 31, 1946.
- Children of certain veterans, §6-82-602.
- World War I veterans.
- Free tuition, §6-60-206.

MINES AND MINERALS.**Agricultural colleges.**

- Arkansas Polytechnic College.
- Lease of mineral lands authorized, §6-65-304.
- Proceeds of lease, §6-65-304.

MINORITIES.

- Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Scholarship or grant program.

- Annual review by state board of education, §6-82-102.

Teachers.

- Scholarships.
- Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

MINORS.**Student loans.**

- Defense of minority unavailable, §6-81-125.

Universities and colleges.

- Improvement districts.
- Assessments.
- Actions to enforce lien.
- Notice by publication for owners under a disability, §6-71-137.

MINORS —Cont'd**University of Arkansas for medical sciences.**

Medical department.

Rural medical practice student loans and scholarships.

Disability of minority removed, §6-81-709.

MISDEMEANORS.**Education.**

Agricultural colleges.

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Arkansas State University.

Board of trustees.

Violation of oath, §6-65-201.

Arkansas Tech University.

Board of trustees.

Violation of oath, §6-65-301.

Henderson State University.

Board of trustees.

Violation of oath, §6-66-101.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification requirements, §6-61-301.

Private residence and correspondence schools.

Denial or suspension of admissions representative's license, §6-51-615.

Operating school without license, §6-51-612.

Violations of chapter, §6-51-615.

Southern Arkansas University.

Board of trustees.

Violation of oath, §6-65-401.

University of Arkansas.

Records and reports regarding students and teachers.

Failure to keep or report, §6-64-215.

University of Central Arkansas.

Board of trustees.

Violation of oath, §6-67-102.

University of Arkansas.

Records and reports regarding students and teachers.

Failure to keep or report, §6-64-215.

MISSING IN ACTION.**Universities and colleges.**

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

MISSISSIPPI COUNTY**COMMUNITY COLLEGE.**

Name change, §§6-59-101 to 6-59-111.

See ARKANSAS NORTHEASTERN COLLEGE.

President.

Housing allowance, §6-61-525.

University center, §6-61-528.

Creation, §6-61-528.

Purposes, §6-61-528.

MORTGAGES AND DEEDS OF TRUST.**Universities and colleges.**

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

MOTOR VEHICLES.**Community colleges.**

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

Driver education.

Residence and correspondence schools.

Defensive driving instruction, §6-51-623.

Noncommercial driver training instruction, §6-51-622.

Universities and colleges.

Driver education and training programs, §6-61-109.

Vocational education and rehabilitation.

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

MUNICIPAL CORPORATIONS.**University of Arkansas for medical sciences.**

State medical center.

Quota of patients from municipalities, §6-64-505.

Failure to pay, §6-64-507.

Statement mailed to municipalities, §6-64-507.

N**NAMES.****University of Arkansas for medical sciences.**

Medical department, §6-64-401.

NATIONAL GUARD.**Community colleges.**

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

NATIONAL GUARD —Cont'd**Tuition assistance plan**, §6-60-211.**Universities and colleges.**

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

NATIONAL PARK COMMUNITY**COLLEGE**, §§6-58-101 to 6-58-112.**Board of trustees**, §6-58-103.**Catastrophic leave program.**

Effect of merger, §6-58-106.

Certificate and degree programs.

Effect of merger, §6-58-107.

Curriculum.

Effect of merger, §6-58-107.

Definitions, §6-58-101.**Election of trustees**, §6-58-103.**Faculty and employees.**

Effect of merger, §§6-58-104 to 6-58-106.

Garland county community college.

Name change and merger, §6-58-102.

Health insurance plans.

Effect of merger, §§6-58-104 to 6-58-106.

House construction programs, §6-58-108.**Legal authority**, §6-58-109.**Purchasing**, §6-58-108.**Quapaw technical institute.**

Conversion of positions and maximum salaries, §6-58-112.

Name change and merger, §6-58-102.

Sick leave.

Effect of merger, §6-58-105.

Transfer of assets, §6-58-109.**Workforce 2000 development fund**, §6-58-110.**NEPOTISM.****Agricultural colleges.**

Districts.

Schools.

Penalty, §6-65-107.

University of Arkansas.

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in favor of relatives, §6-64-214.

NONPROFIT CORPORATIONS

(1987).

Student loan authority.

Formation of nonprofit special purpose corporations, §6-81-129.

Student loans.

Nonprofit corporation in lieu of authority, §6-81-103.

NONRESIDENTS.**Universities and colleges.**

Admission.

Regulation of admission and enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where owners nonresidents, §6-71-137.

NORTH ARKANSAS COMMUNITY COLLEGE.**President.**

Housing allowance, §6-61-525.

NOTES.**Student loan authority.**

See STUDENT LOANS.

Universities and colleges.

Buildings.

See UNIVERSITIES AND COLLEGES.

NOTICE.**Elections.**

Technical college districts.

Formation and ad valorem tax levy, §6-53-602.

Residence and correspondence schools.

Investigations and hearings, §6-51-618.

Notice of possible violations, §6-51-604.

Injunctions, §6-51-604.

Response by recipient, §6-51-604.

Student loans.

Bond issues.

Sale of obligations, §6-81-112.

Technical college districts.

Election on formation and tax levy, §6-53-602.

Universities and colleges.

Buildings.

Bond issues.

Commission on coordination of higher education finance, §6-62-306.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.

Publication of notice for collection, §6-71-117.

NOTICE —Cont'd**Universities and colleges —Cont'd****Improvement districts —Cont'd****Assessments —Cont'd**

Sale of property to enforce lien,
§6-71-128.

Public notice of passage of chapter,
§6-71-105.

Real property.

Petition to acquire private
property, §6-71-140.

**Vocational education and
rehabilitation.**

Housing construction program.

Auction notice, §6-51-507.

Published notice of proposed
purchases, §6-51-503.

NURSES.**Academic challenge scholarship**

program, §§6-82-1001 to 6-82-1010.

Nursing school eligibility, §6-82-1007.

**Advanced nursing practice and
nurse educator loans and
scholarships**, §§6-81-1201 to
6-81-1209.**Conditions.**

Rural advanced nursing practice or
nurse educator loan contracts,
§6-81-1204.

Construction of provisions, §6-81-1209.

Definitions, §6-81-1201.

Effect of provisions, §6-81-1209.

Rural advanced nursing practice or
nurse educator loans.

Conditions and obligations,
§6-81-1204.

Eligibility, §6-81-1203.

**Nursing student loan revolving
fund**, §§6-81-1401 to 6-81-1412.

Administration, §6-81-1402.

Application process, §6-81-1402.

Calculation of loan amount,
§6-81-1404.

Cancellation of loan, §6-81-1411.

Conditions of repayment, §§6-81-1409,
6-81-1410.

Establishment, §6-81-1401.

Forgiveness of loan, §6-81-1411.

Interest, §6-81-1410.

Loan eligibility, §6-81-1403.

Powers and duties of board,
§§6-81-1403, 6-81-1404.

Renewal, §§6-81-1406, 6-81-1407.

Repayment conditions, §§6-81-1409,
6-81-1410.

Rulemaking authority, §6-81-1412.

Term of loan, §6-81-1405.

NURSES —Cont'd**Nursing student loan revolving fund
—Cont'd**

Written loan contract, §6-81-1408.

Student loans.

Advanced nursing, §§6-81-1201 to
6-81-1210. See within this
heading, "Advanced nursing
practice and nurse educator
student loans and scholarships."

**Vocational education and
rehabilitation.**

Associate of applied science degree.

Establishment of program,
§6-51-701.

Granting, §6-51-703.

Nature of program, §6-51-702.

O**OATHS.****Agricultural colleges.**

Arkansas state university.

Board of trustees.

Oath of office of members,
§6-65-201.

Arkansas Tech university.

Board of trustees.

Oath of office, §6-65-301.

Southern Arkansas university.

Board of trustees.

Oath of office, §6-65-401.

Henderson state university.

Board of trustees.

Oath of office, §6-66-101.

Universities and colleges.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.

Assistants, §6-64-712.

University of Central Arkansas.

Board of trustees.

Oath of office, §6-67-102.

OIL BELT**VOCATIONAL-TECHNICAL
SCHOOL, EL DORADO.**

**Institution designated as technical
college**, §6-53-301.

OPTOMETRISTS.

**Tuition assistance for residents
attending out of state optometry
schools**, §6-81-1101.

OPTOMETRY SCHOOLS.

Tuition assistance for residents attending out of state schools,
§6-81-1101.

OSTEOPATHY SCHOOLS.

Tuition assistance for residents attending out of state schools,
§6-81-1101.

OUACHITA TECHNICAL COLLEGE, MALVERN.

Abolishment, §6-54-105.

Accreditation, §6-54-105.

Administration, §6-54-104.

Authority, §6-54-101.

Conversion to community college.

Imposition of millage, §6-54-101.

Courses of study, §6-54-101.

Created, §6-54-101.

Deadlines under chapter.

Effect on other laws, §6-54-102.

Designation of Ouachita

Vocational-Technical School as technical college, §6-54-101.

Operation, §6-54-104.

Privileges, §6-54-103.

Procedures under chapter.

Effect on other laws, §6-54-102.

Rights, §6-54-103.

OZARKA VOCATIONAL-TECHNICAL SCHOOL, MELBOURNE.

Institution designated as technical college, §6-53-301.

P**PEACE OFFICERS.****Scholarships.**

Universities and colleges.

See UNIVERSITIES AND COLLEGES.

PERMITS.

Construction industry craft training.

Surcharge to fund program, §6-55-106.

Trust fund, §6-55-106.

PERSONNEL.

Universities and colleges.

Board of higher education.

Policies and administration,
§6-61-214.

PETITIONS.

Universities and colleges.

Improvement districts.

Approval of chapter.

Petition method, §6-71-105.

PETIT JEAN

VOCATIONAL-TECHNICAL SCHOOL, MORRILTON.

Institution designated as technical college, §6-53-301.

PHARMACISTS AND PHARMACIES.

University of Arkansas.

School of pharmacy.

Authorized, §6-64-410.

PHILLIPS COUNTY COMMUNITY COLLEGE.

Building trades construction program, §6-61-526.

President.

Housing allowance, §6-61-525.

PHYSICIANS AND SURGEONS.

University of Arkansas for medical sciences.

Medical department, §§6-64-401 to 6-64-415.

See UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

PINES VOCATIONAL-TECHNICAL SCHOOL, PINE BLUFF.

Institution designated as technical college, §6-53-301.

PLANNING.

Construction industry craft training, §6-55-104.

Universities and colleges.

Board of higher education, §§6-61-205 to 6-61-207.

Encouragement of participation by private institutions, §6-61-305.

PLUMBERS.

Apprentice plumbers.

Vocational education and rehabilitation.

Plumbing program, §6-51-403.

Licenses.

Vocational education and rehabilitation.

Plumbing program, §6-51-404.

Vocational education and rehabilitation.

Plumbing program, §§6-51-401 to 6-51-404.

See VOCATIONAL EDUCATION AND REHABILITATION.

PODIATRISTS.

Tuition assistance for residents attending out of state podiatry schools, §6-81-1101.

PODIATRY SCHOOLS.

Tuition assistance for residents attending out of state schools,
§6-81-1101.

POISON CONTROL, DRUG INFORMATION AND TOXICOLOGICAL LABORATORIES.

Free transportation, §6-64-105.

POLICE.

Arkansas police corps program.

Administration, §§6-82-1204 to 6-82-1206.

Arkansas police corps planning commission, §6-82-1202.

Lead agency, §§6-82-1205, 6-82-1206.

Purpose of subchapter, §6-82-1201.

POST-SECONDARY EDUCATION INSTITUTIONS.

Universities and colleges generally.

See UNIVERSITIES AND COLLEGES.

PRISONERS OF WAR.

Universities and colleges.

Tuition.

Free tuition and fees for dependents, §6-82-601.

PRISON TERMS.

Education.

Agricultural colleges.

Board of trustees.

Violation of oath.

Arkansas State University, §6-65-201.

Arkansas Tech University, §6-65-301.

Southern Arkansas University, §6-65-401.

Arkansas State University.

Board of trustees.

Violation of oath, §6-65-201.

Arkansas Tech University.

Board of trustees.

Violation of oath, §6-65-301.

Henderson State University.

Board of trustees.

Violation of oath, §6-66-101.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification requirements, §6-61-301.

Private residence and correspondence schools.

Licenses.

Operating school without, §6-51-612.

Violations of chapter, §6-51-615.

Southern Arkansas University.

Board of trustees.

Violation of oath, §6-65-401.

PRISON TERMS —Cont'd

Education —Cont'd

University of Central Arkansas.

Board of trustees.

Violation of oath, §6-67-102.

PRIVATE CAREER SCHOOL STUDENT PROTECTION TRUST FUND, §6-51-607.

PRIVATE RESIDENCE AND CORRESPONDENCE SCHOOLS, §§6-51-601 to 6-51-623.

See RESIDENCE AND

CORRESPONDENCE SCHOOLS.

PRIVATE SCHOOLS.

Residence and correspondence schools, §§6-51-601 to 6-51-623.

See RESIDENCE AND

CORRESPONDENCE SCHOOLS.

PROCUREMENT.

Community colleges.

Purchases from board members and employees, §6-61-613.

University of Arkansas.

Agricultural experiment stations, §6-64-704.

Vocational education and rehabilitation.

Housing construction program.

Considerations, §6-51-503.

State purchasing law and regulations to be followed, §6-51-505.

PROPERTY.

University of Central Arkansas.

Board of trustees.

Powers as to property, §6-67-102.

Vocational education and rehabilitation.

Sale of real or personal property.

Disposition of income from, §6-51-210.

PROSECUTING ATTORNEYS.

Agricultural colleges.

Southern Arkansas University.

Eminent domain.

Duty of attorney, §6-65-403.

Henderson State University.

Eminent domain.

Proceedings instituted by prosecuting attorney, §6-66-112.

Universities and colleges.

Eminent domain.

Legal representation of board, §6-62-201.

PUBLICATION.**Agricultural colleges.**

Districts.

Schools.

Cooperation on research and publications, §6-65-109.

Universities and colleges.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners are nonresidents or persons under a disability, §6-71-137.

Notice for collection, §6-71-117.

University of Arkansas.

Agricultural experiment stations.

Bulletins published by directors.

Contents, §6-64-703.

Bureau of research and statistics.

Use of material and information in publications, §6-64-715.

University of Arkansas for medical sciences.

Medical department.

Admissions policies and procedures to be published, §6-64-406.

Vocational education and rehabilitation.

Housing construction program.

Purchases.

Notice of proposed purchases, §6-51-503.

PUBLIC EMPLOYEES'**RETIREMENT SYSTEM.****Rehabilitation services division of department of education.**

Eligibility of employees, §6-52-104.

PULASKI**VOCATIONAL-TECHNICAL SCHOOL, NORTH LITTLE ROCK.****Institution designated as technical college, §6-53-301.****Q****QUAPAW TECHNICAL INSTITUTE.****Name change and merger, §§6-58-101 to 6-58-112.**

See NATIONAL PARK COMMUNITY COLLEGE.

R**RACIAL MINORITIES.****Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.****RACIAL MINORITIES —Cont'd****Higher education minority retention programs, §6-61-122.**

Minority defined, §6-61-121.

Universities and colleges.

Charters, bylaws or rules of institutions.

Removal of references to race, §6-61-113.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Faculty/administrator development fellows program, §§6-63-401 to 6-63-415.

See UNIVERSITIES AND COLLEGES.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

RADIO.**University of Arkansas.**

Basketball games, §6-64-104.

Football games, §6-64-104.

RAILROADS.**Agricultural colleges.**

Districts.

Schools.

Faculty.

Free transportation to faculty members, §6-65-108.

University of Arkansas.

Free transportation for certain officers, §6-64-105.

REAL PROPERTY.**Rich Mountain Community College.**

Transfer of title to certain land, §6-61-704.

Universities and colleges.

Improvement districts.

Damages.

Petition to acquire private property, §6-71-101.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

REAL PROPERTY —Cont'd**Universities and colleges —Cont'd**

Improvement districts —Cont'd

Power to hold and acquire,
§6-71-139.

Petition to acquire private property.

Improvement districts, §6-71-140.

Transfer and lease of property of state
university, §§6-62-601 to 6-62-613.

See UNIVERSITIES AND
COLLEGES.

University of Arkansas.

Agricultural experiment stations.

Livestock and forestry branch.

Purchase or gift of land,
§6-64-710.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Research and education program.

Established, §6-64-102.

RECORDATION.**Universities and colleges.**

Trust conveyances to state for higher
learning institutions, §6-62-503.

RECORDS.**University of Arkansas.**

Attendance of students and teachers,
§6-64-215.

Penalty for failure to record,
§6-64-215.

Financial assistance.

Applications, §6-80-101.

**Vocational education and
rehabilitation.**

Appropriations.

Acceptance of benefits of
congressional act.

Keeping at capitol, §6-51-213.

RED RIVER**VOCATIONAL-TECHNICAL
SCHOOL, HOPE.**

Institution designated as technical
college, §6-53-301.

REGISTRATION.**Community colleges.**

Motor vehicles used for school
purposes, §6-51-101.

**Vocational education and
rehabilitation.**

Motor vehicles used for school
purposes, §6-51-101.

RELIGION.**Universities and colleges.**

Immunization of enrollees.

Religious objections, §6-60-504.

RELIGION —Cont'd**Universities and colleges —Cont'd**

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

REPORTS.**Agricultural colleges.**

Districts.

Schools.

Boards of trustees, §6-65-112.

Henderson State University.

Board of trustees, §6-66-113.

Scholarships.

Annual report to general assembly on
impact of programs, §6-82-104.

Student loans.

Authority.

Monthly report required.

Where filed, §6-81-127.

Universities and colleges.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Employees.

Higher education expenditure
restrictions.

Transfers of appropriations from
contingency appropriation.

Monthly reports, §6-63-312.

Graduates requiring postsecondary
remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus
facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving
state funds, §6-62-107.

Scholarships.

Annual report to general assembly
on impact of programs,
§6-82-104.

Uniform reporting standards.

Revenues and expenditures,
§6-61-222.

University of Arkansas.

Agricultural and mechanical
departments.

Contents of report, §6-64-217.

Agricultural experiment stations.

Bureau of research and statistics,
§6-64-712.

Attendance of students and teachers.

Board's report, §6-64-215.

Penalty for failure to report,
§6-64-215.

REPORTS —Cont'd**University of Arkansas —Cont'd**

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Medical center.

Periodic progress reports, §6-64-414.

Radio broadcasting of football and basketball games, §6-64-104.

University of Arkansas for medical sciences.

Medical department.

Family practice department,
§6-64-409.Rural medical practice student loans
and scholarships.

Board's reports, §6-81-711.

University of Central Arkansas.

Board of trustees.

Biennial report to general assembly,
§6-67-114.**Vocational education and rehabilitation.**Acceptance of benefits of congressional
act.Board of education report,
§6-51-214.

Board of education, §6-51-214.

RESEARCH.**Research development act,**

§§6-61-801 to 6-61-808.

See UNIVERSITIES AND
COLLEGES.**RESIDENCE AND****CORRESPONDENCE SCHOOLS.****Actions to execute against bond.**

Standing to sue, §6-51-620.

**Administration and enforcement of
act, §6-51-605.****Admissions representatives.**

Background checks, §6-51-609.

Licenses, §6-51-609.

Denial or suspension, §6-51-615.

Fees, §6-51-610.

Renewal, §6-51-611.

Standards, §6-51-605.

Appeals.

Denial of school license, §6-51-614.

Denial or suspension of admissions
representative's license, §6-51-615.

Penalties, §6-51-618.

Arbitration.Private career education arbitration
panel, §6-51-617.**Background checks.**

Admissions representatives, §6-51-609.

RESIDENCE AND**CORRESPONDENCE SCHOOLS**

—Cont'd

Background checks —Cont'dPartners or shareholders in schools,
§6-51-605.**Bonds, surety, §6-51-620.****Construction of subchapter,
§6-51-621.****Contempt.**Failure to obey a subpoena or
subpoena duces tecum, §6-51-619.**Contracts.**Contracts and promissory notes of
unlicensed schools, §6-51-613.**Criminal law and procedure.**Operating school without a license,
§6-51-612.**Definitions, §6-51-602.****Diplomas, §6-51-605.****Documents.**

Subpoenas duces tecum, §6-51-619.

Driver training.Defensive driving instruction,
§6-51-623.Noncommercial driver training
instruction, §6-51-622.**Exemptions from licensure,
§6-51-603.****Extension course sites.**

Additional school license, §6-51-608.

Fees, §6-51-608.

Fees.

Extension course sites, §6-51-608.

Licenses, §6-51-610.

Satellite schools, §6-51-608.

Witness fees and mileage, §6-51-619.

Fines, §6-51-618.**Funds.**Private career school student
protection trust fund, §6-51-607.**Grievance procedure.**

Students, §6-51-616.

Gross tuition.

Defined, §6-51-620.

Hearings, §6-51-618.Subpoenas and subpoenas duces
tecum, §6-51-619.**Injunctions.**Enjoining violations of provisions,
§6-51-604.**Intent of legislature, §6-51-601.****Investigations, §6-51-618.****Legislative declaration, §6-51-601.****Licenses.**

Admissions representatives, §6-51-609.

Denial or suspension of license,
§6-51-615.

RESIDENCE AND CORRESPONDENCE SCHOOLS

—Cont'd

Licenses —Cont'd

Appeals.

Denial or suspension of admissions
representative's license,
§6-51-615.

Applications, §6-51-606.

Denial of licenses.

Admissions representatives,
§6-51-615.

School licenses, §6-51-614.

Duration, §6-51-611.

Exemptions, §6-51-603.

Extension course sites.

Additional school license, §6-51-608.

Fees, §6-51-610.

Issuance, §6-51-606.

Operating school without a license,
§6-51-612.

Renewal, §6-51-611.

Required, §6-51-606.

Satellite schools.

Additional school license, §6-51-608.

State board of private career
education.

Authority of state board, §6-51-605.

Surety bond required, §6-51-620.

Suspension of license.

Admissions representatives,
§6-51-615.

Failure of bond, §6-51-620.

School license, §6-51-614.

Misdemeanors, §6-51-615.

Operating school without a license,
§6-51-612.

Notice.

Investigation and hearing, §6-51-618.

Notice of possible violations,
§6-51-604.

Injunctions, §6-51-604.

Response by recipient, §6-51-604.

Operating school without license, §6-51-612.

Penalty, §6-51-612.

Penalties, §6-51-615.

Appeals, §6-51-618.

Fines, §6-51-618.

Investigation and hearing, §6-51-618.

Operating school without a license,
§6-51-612.

Private career education arbitration panel, §6-51-617.

Promissory notes of unlicensed schools, §6-51-613.

Sales representatives.

Standards, §6-51-605.

RESIDENCE AND CORRESPONDENCE SCHOOLS

—Cont'd

Satellite schools.

Additional school license, §6-51-608.

Fees, §6-51-608.

Solicitors.

Standards, §6-51-605.

Standards for schools and their representatives, §6-51-605.

Standing.

Actions to execute against bond,
§6-51-620.

State board of higher education.

Construction of subchapter, §6-51-621.

State board of private career education.

Appointment, §6-51-605.

Composition, §6-51-605.

Director, §6-51-605.

Meetings, §6-51-605.

Powers and duties, §6-51-605.

Students.

Grievance procedure, §6-51-616.

Subpoenas and subpoenas duces tecum, §6-51-619.

Surety bond, §6-51-620.

Tuition.

Recovery of tuition, §6-51-613.

Witnesses.

Subpoenas, §6-51-619.

RETIREMENT.

Rehabilitation services division of department of education.

Eligibility of employees for retirement
systems, §6-52-104.

RICH MOUNTAIN COMMUNITY COLLEGE.

Building trades construction program, §6-61-708.

Comprehensive institution.

Operation as, §6-61-705.

Construction and interpretation.

Cumulative nature of provisions,
§6-61-703.

Polk County community college.

Use of name, §6-61-702.

Cumulative nature of provisions, §6-61-703.

Employees.

Status of certain employees, §6-61-706.

Henderson state university.

Mena off-campus branch.

Employees, §6-61-706.

Legislative declaration, §6-61-701.

Name, §6-61-702.

RICH MOUNTAIN COMMUNITY COLLEGE —Cont'd**Polk County community college.**

Use of name, §6-61-702.

Purpose of provisions, §6-61-701.**Real property.**

Transfer of title to certain land,
§6-61-704.

S**SALARIES.****Universities and colleges.**

See UNIVERSITIES AND COLLEGES.

SALES.**Agricultural colleges.**

Farm products.

Disposition of proceeds, §6-65-110.

Technical college or community college capital improvement bonds, §6-61-1008.**Vocational education and rehabilitation.**

Housing construction program,
§6-51-508.

SAVINGS BONDS.**Arkansas college savings bond act.**

Universities and colleges, §§6-62-701 to 6-62-725.

See UNIVERSITIES AND COLLEGES.

SCHOLARSHIPS.**Academic challenge scholarship program, §§6-82-1001 to 6-82-1010.**

Amount of award, §6-82-1006.

Created, §6-82-1003.

Declaration of public necessity,
§6-82-1001.

Definitions, §6-82-1002.

Department of higher education.

Authority, §6-82-1004.

Duration of award, §6-82-1006.

Eligible students, §6-82-1005.

Legislative findings, §6-82-1001.

Nursing school eligibility, §6-82-1007.

Priority for teaching commitment,
§6-82-1009.

Teaching requirements, §6-82-1010.

Unfunded awards, §6-82-1008.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**SCHOLARSHIPS —Cont'd****Definitions.**

Academic challenge scholarship program, §6-82-1002.

Second effort scholarship program,
§6-82-1102.

Firefighters.

Children of law enforcement officers and firefighters.

See UNIVERSITIES AND COLLEGES.

Geographical critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Governor's scholars program, §§6-82-301 to 6-82-314.**

See EDUCATION.

High-Tech scholarship program, §§6-82-401 to 6-82-410.

See EDUCATION.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

Peace officers.

Children of law enforcement officers and firefighters.

See UNIVERSITIES AND COLLEGES.

Police corps program, §§6-82-1201 to 6-82-1206.**Reports.**

Annual report to general assembly on impact of programs, §6-82-104.

Second effort scholarship program.

Amount of award, §6-82-1104.

Creation, §6-82-1101.

Definitions, §6-82-1102.

Duration of award, §6-82-1104.

Eligible students, §6-82-1103.

Certified list, §6-82-1105.

Funding, §6-82-1104.

Number of scholarships, §6-82-1103.

Purpose, §6-82-1101.

Review, §6-82-1105.

Rules and regulations, §6-82-1105.

Student loans.

General provisions.

See STUDENT LOANS.

Teachers.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

University assisted teacher recruitment and retention grant program, §6-81-1301.

Universities and colleges.

Allocation, §6-82-209.

Amount, §6-82-208.

SCHOLARSHIPS —Cont'd**Universities and colleges —Cont'd**

Award directly to student, §6-82-210.

Eligibility, §§6-82-205, 6-82-206.

Enhancement of student assistance grant program, §6-82-213.

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

Minority scholarship or grant programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers and certain state employees, §§6-82-501 to 6-82-506.

See UNIVERSITIES AND COLLEGES.

Police corps program, §§6-82-1201 to 6-82-1206. See within this heading, "Police corps program."

Refunds, §6-82-211.

Selective service act.

Compliance with required, §6-80-102.

State scholarship program.

Administration by department, §6-82-204.

Applications.

Termination date for acceptance, §6-82-204.

Definitions, §6-82-202.

Department of higher education.

Administration of program, §6-82-204.

Authority and responsibility, §6-82-204.

Duties of applicant, §6-82-207.

Established, §6-82-203.

Legislative intent, §6-82-201.

Purpose of act, §6-82-201.

Transfer to other school, §6-82-212.

Withdrawal of recipient from institution.

Refunds, §6-82-211.

University of Arkansas.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

University of Arkansas for medical sciences.

Medical department, §6-64-408.

SCHOOLS.**Correspondence schools.**

Residence and correspondence schools, §§6-51-601 to 6-51-622.

See RESIDENCE AND CORRESPONDENCE SCHOOLS.

SCHOOLS —Cont'd**Private schools.**

Residence and correspondence schools, §§6-51-601 to 6-51-622.

See RESIDENCE AND CORRESPONDENCE SCHOOLS.

Residence and correspondence

schools, §§6-51-601 to 6-51-622.

See RESIDENCE AND CORRESPONDENCE SCHOOLS.

Universities and colleges.

General provisions.

See UNIVERSITIES AND COLLEGES.

SEEDS.**University of Arkansas.**

Laboratory to test.

Authorized, §6-64-711.

Fee, §6-64-711.

SERVICE OF PROCESS.**Constructive service.**

Universities and colleges.

Improvement districts.

Assessment liens.

Actions to enforce, §6-71-124.

Universities and colleges.

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-123.

Constructive service in actions to enforce, §6-71-124.

University of Arkansas.

Board of trustees.

Removal of members.

Charges brought against members, §§6-64-204, 6-64-205.

SICK LEAVE.**University and college employees.**

Catastrophic leave bank program, §§6-63-601, 6-63-602.

SIGNATURES.

Technical or community college capital improvement bonds, §6-61-1006.

SIGN LANGUAGE.**Universities and colleges.**

American sign language as foreign language, §6-61-125.

SOIL.**University of Arkansas.**

Agricultural experiment stations.

Investigation and classification of soils, §6-64-704.

SOUTH ARKANSAS COMMUNITY COLLEGE.**Arkansas heavy equipment operator training academy.**

Establishment of satellite center,
§§6-61-531 to 6-61-533.

Housing allowance for president,
§6-61-525.**SOUTHERN ARKANSAS**

UNIVERSITY, §§6-65-401 to
6-65-410.

Appropriations, §6-65-408.**Board of trustees.**

Appeals.

Removal of members, §6-65-401.

Appointment, §6-65-401.

Acceptance of appointment,
§6-65-401.

Certificate of appointment,
§6-65-401.

Composition, §6-65-401.

Disqualification of certain officials,
§6-65-401.

Duties.

Generally, §6-65-402.

El Dorado branch.

Powers and duties as to, §6-65-406.

Filling vacancies, §6-65-401.

Oaths, §6-65-401.

Penalty for violation, §6-65-401.

Powers.

Generally, §6-65-402.

Qualifications, §6-65-401.

Removal of members, §6-65-401.

SAU Tech.

Powers and duties, §6-65-404.

Terms of members, §6-65-401.

Vacancies.

Filling, §6-65-401.

El Dorado Branch, §6-65-406.

Advisory committee, §6-65-407.

Appointment of members, §6-65-407.

Composition, §6-65-407.

Duties, §6-65-407.

Expenses of members, §6-65-407.

Terms of members, §6-65-407.

Authorized, §6-65-406.

Chancellor.

Housing allowance, §6-65-410.

Exemption from certain provisions,
§6-61-102.

Housing allowance.

Chancellor of branch, §6-65-410.

Eminent domain, §6-65-403.

Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

SOUTHERN ARKANSAS UNIVERSITY —Cont'd**Eminent domain —Cont'd**

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

SAU Tech.

Housing allowance for chancellor,
§6-65-409.

Operation as technical division of
Arkansas University, §6-65-404.

SAU Tech advisory committee.

Created, §6-65-405.

Memberships, §6-65-405.

University of Arkansas.

Agricultural experiment stations,
§§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

SOUTHWEST ARKANSAS HIGHER EDUCATION CONSORTIUM,
§6-61-1201.**SOUTHWEST TECHNICAL INSTITUTE.****Exemption from certain provisions,**
§6-61-102.**SPORTS.****Universities and colleges.**

Athletic programs, §§6-62-801 to
6-62-807.

See UNIVERSITIES AND
COLLEGES.

STATE DEPARTMENTS AND AGENCIES.**Universities and colleges.**

Department of higher education.

See UNIVERSITIES AND
COLLEGES.

STATE TEACHER ASSISTANCE RESOURCE PROGRAM,
§§6-81-1501 to 6-81-1507.**STATE TECHNICAL INSTITUTE.**

Arkansas State University-Beebe,
§§6-65-217 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY-BEEBE.

STATUTE OF LIMITATIONS.**University of Arkansas.**

Revolving loan fund.

Defenses invalid, §6-81-407.

STUDENT IDENTIFICATION CARDS.**Social security number.**

Use prohibited, §6-61-126.

STUDENT LOANS.**Anti-stacking provision**, §6-80-105.**Arkansas student loan board.**

Abolished, §6-81-202.

Audits, §6-81-130.

Guarantee foundation.

Annual audit, §6-81-206.

Authority.

Appointment of members, §6-81-102.

Audits, §6-81-130.

Bond issues.

Liability of state and authority on obligations, §6-81-113.

Power to issue obligations, §6-81-106.

Resolution authorizing bonds, §6-81-109.

Compensation of members, §6-81-102.

Composition, §6-81-102.

Conduct of business, §6-81-102.

Defined, §6-81-101.

Director.

Employment authorized, §6-81-102.

Established, §6-81-102.

Guarantee foundation.

Cooperation of foundation with authority, §6-81-105.

Nonprofit corporation in lieu of authority, §6-81-103.

Obligations and notes.

Contract between authority and obligation holder.

Enforcement of terms, §6-81-115.

Educational loan fund established for each obligation.

Allowed uses, §6-81-124.

Liability of state and authority, §6-81-113.

Proceeds fund established for each obligation.

Allowed uses, §6-81-124.

Tax exemption, §6-81-116.

Personnel.

Employment authorized, §6-81-102.

Powers.

Limitations, §6-81-108.

Purchase of student loan note, §6-81-126.

Purpose, §6-81-102.

Reports.

Monthly report required.

Where filed, §6-81-127.

Rules and regulations, §6-81-104.

Board of finance.

Defined, §6-81-101.

Bond issues.

Amount.

Maximum amount of outstanding obligations, §6-81-107.

STUDENT LOANS —Cont'd**Bond issues —Cont'd**

Authority.

Liability of state and authority on obligations, §6-81-113.

Power to issue obligations, §6-81-106.

Resolution authorizing bonds, §6-81-109.

Authorized, §6-81-106.

Board of finance.

Consent, §6-81-107.

Consent of "board of finance," §6-81-107.

Contracts between authority and bondholder.

Enforcement of terms, §6-81-115.

Defined, §6-81-101.

Deposits of proceeds, §6-81-118.

Designation of money received as cash fund, §6-81-118.

Educational loan fund established for each obligation.

Allowed uses, §6-81-124.

Execution, §6-81-111.

Governor.

Consent, §6-81-108.

Investments.

Excess funds, §6-81-122.

Legal and authorized investments, §6-81-120.

Local funds.

Sufficient security for, §6-81-121.

Notice.

Sale of obligations, §6-81-112.

Outstanding obligations.

Maximum amount, §6-81-107.

Pledge of revenues, §6-81-114.

Proceeds fund established for each obligation.

Allowed uses, §6-81-124.

Redemption fund.

Sufficient fund required, §6-81-118.

Refunding bonds.

Authorized, §6-81-119.

Exchange or sale, §6-81-119.

Resolution authorizing, §6-81-109.

Sale of obligations, §6-81-112.

Seal, §6-81-111.

Security.

Pledge of revenues, §6-81-114.

Trust indentures, §6-81-110.

State funds.

Sufficient security for, §6-81-121.

Tax exemption, §6-81-116.

Terms and conditions, §6-81-109.

Trust indentures, §6-81-110.

STUDENT LOANS —Cont'd**Bonds, surety.**

Disbursing officer, §6-81-203.

Guarantee foundation.

Disbursing officer, §6-81-203.

Collection of defaulted loans,
§6-81-128.**Contracts.**

Bondholders or obligation holders.

Authority.

Enforcement of terms of contract
between authority and holder,
§6-81-115.

Services.

Contract with certain entities
authorized, §6-81-129.

Vesting students with contractual
capacity, §6-81-125.

Defaulted loans.

Collection, §6-81-128.

Definitions, §6-81-101.**Disbursing officer.**

Bonds, surety, §6-81-203.

Funds.

Guarantee foundation. See within this
heading, "Guarantee foundation."

Guaranteed educational loans.

Defined, §6-81-101.

Guarantee foundation.

Administration of student loan
provisions of federal laws,
§6-81-201.

Audit.

Annual audit, §6-81-206.

Authority.

Cooperation of foundation with
authority, §6-81-105.

Disbursing officer, §6-81-203.

Funds.

Administration of funds, §6-81-202.

Audits.

Annual audit, §6-81-206.

Use, §6-81-204.

Securities.

Sale, §6-81-205.

Use, §6-81-204.

Transfer of student loan fund to
guarantee foundation, §6-81-202.

**Higher education coordinating
board.**

Continuation of administration of
certain financial assistance
programs, §6-81-131.

Investments.

Bond issues.

Excess funds, §6-81-122.

Legal and authorized investments,
§6-81-120.

STUDENT LOANS —Cont'd**Minors.**

Defense of minority unavailable,
§6-81-125.

**Nonprofit corporation in lieu of
authority.**

Authorized, §6-81-103.

Board of directors.

Composition, §6-81-103.

Powers, §6-81-103.

**Nonprofit special purpose
corporations.**

Authority may form, §6-81-129.

Notes.

Authority.

Obligation and notes. See within
this heading, "Authority."

Notice.

Bond issues.

Sale of obligations, §6-81-112.

**Nursing student loan revolving
fund, §§6-81-1401 to 6-81-1412.**

See NURSES.

Participating institutions.

Defined, §6-81-101.

Professional schools.

Tuition assistance for certain schools,
§6-81-1101.

Proprietary institutions.

Loan funds to students of proprietary
institutions.

Limitation, §6-81-127.

Purchase of student loan note,

§6-81-126.

Qualified borrowers.

Defined, §6-81-101.

Refunding bonds.

Authorized, §6-81-119.

Exchange or sale, §6-81-119.

Reports.

Authority.

Monthly report required.

Where filed, §6-81-127.

Rules and regulations.

Authority, §6-81-104.

Selective service act.

Compliance with required, §6-80-102.

Selective service registration,
§6-80-104.**Taxation.**

Bonds and obligations.

Exemption from taxation, §6-81-116.

**Technical careers student loan
forgiveness program, §§6-50-201
to 6-50-208.**

See TECHNICAL CAREERS

STUDENT LOAN FORGIVENESS
PROGRAM.

STUDENT LOANS —Cont'd **United States.**

- Guarantee foundation.
- Administration of student loan provisions of federal laws, §6-81-201.

SUBPOENA DUCES TECUM. **Residence and correspondence schools, §6-51-619.**

SUBPOENAS. **Residence and correspondence schools, §6-51-619.**

SUPREME COURT. **Universities and colleges.** Improvement districts. Assessments. Actions to enforce lien. Appeals to supreme court, §6-71-136.

T

TAXATION.

Community colleges.

- Districts.
- Ad valorem taxes, §6-61-517.
- Reduction or repeal, §6-61-519.
- General operations.
- Millage taxes, §6-61-602.
- Millage tax, §6-61-503.
- Motor vehicles used by schools exempt from taxes, §6-51-101.

Student loans.

- Bond and obligations.
- Exemption from taxation, §6-81-116.

Tuition.

- Tax-deferred tuition savings program, §§6-84-101 to 6-84-113.
- See TAX-DEFERRED TUITION SAVINGS PROGRAM.

Universities and colleges.

- Trust conveyances to state for higher learning institutions.
- Exemption from tax, §6-62-506.

University of Arkansas.

- Legal education fund.
- Bond issues.
- Exemption from tax, §6-64-614.

Vocational education and rehabilitation.

- Districts.
- Schools.
- Use of funds raised by taxation, §6-51-215.
- Motor vehicles used by schools exempt from taxes, §6-51-101.

TAX-DEFERRED TUITION SAVINGS PROGRAM, §§6-84-101 to 6-84-113.

Accounts.

- Assignment prohibited, §6-84-110.
- Contributions, §6-84-107.
- Prohibitions, §6-84-110.
- Defined, §6-84-103.
- Establishment, §6-84-107.
- Withdrawals, §6-84-109.
- Tax exemptions, §6-84-111.

Administration of provisions, §6-84-105.

Citation of act, §6-84-101.

Definitions, §6-84-103.

Designated beneficiary, §6-84-108.

- Defined, §6-84-103.

Exemption of funds from tax, §6-84-111.

Immunities, §6-84-112.

Interpretation and construction. Liberal construction of provisions, §6-84-112.

Investment committee, §6-84-105. Immunities, §6-84-112.

Investments.

- Direction of investment, §6-84-106.
- Tax exemptions, §6-84-111.

Legislative declaration, §6-84-102.

Purposes of act, §6-84-102.

Title of act, §6-84-101.

Trust.

- Creation, §6-84-104.
- Defined, §6-84-103.

Withdrawals from accounts, §6-84-109.

- Tax exemptions, §6-84-111.

TEACHER RETIREMENT SYSTEM.

Rehabilitation services division of department of education.

- Eligibility of employees, §6-52-104.

TEACHERS.

Agricultural colleges.

- Districts.
- Schools.
- Compensation, §6-65-107.
- Free transportation to faculty members, §6-65-108.
- Graduates only to be employed as faculty.
- Penalty, §6-65-107.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Definitions.

- State teacher assistance resource program, §6-81-1502.

TEACHERS —Cont'd**Discrimination.**

Enhancement and retraining grant program.

Prohibited, §6-81-606.

Education faculty involvement program.

Eligibility to participate, §6-63-502.

Participation in program, §6-63-502.

Enhancement and retraining grant program.

Administration of program.

Department of higher education, §6-81-603.

Amount of loans, §6-81-605.

Conditions for loans, §6-81-604.

Creation of program, §6-81-602.

Department of higher education.

Powers, §6-81-603.

Discrimination.

Prohibited, §6-81-606.

Eligibility for loans, §6-81-604.

Establishment of program, §6-81-602.

Legislative purpose, §6-81-601.

Maximum amount of loans, §6-81-605.

Priorities, §6-81-605.

Purpose of act, §6-81-601.

Repayment of loans, §6-81-606.

Failure to repay, §6-81-606.

Rules and regulations.

Department of higher education, §6-81-603.

Recruitment.

University assisted teacher recruitment and retention grant program, §6-81-1301.

Rules and regulations.

Enhancement and retraining grant program.

Department of higher education, §6-81-603.

Scholarships.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

Peace officers, firefighters, teachers and certain state employees.

See UNIVERSITIES AND COLLEGES.

University assisted teacher recruitment and retention grant program, §6-81-1301.

State teacher assistance resource program, §§6-81-1501 to 6-81-1507.

Administration, §6-81-1504.

Citation of act, §6-81-1501.

Commission, §6-81-1507.

Creation, §6-81-1503.

TEACHERS —Cont'd**State teacher assistance resource program —Cont'd**

Deferral of loan repayment, §6-81-1506.

Definitions, §6-81-1502.

Duration of loan, §6-81-1506.

Eligibility of students, §6-81-1505.

Forgiveness of loan, §6-81-1506.

Funding, §6-81-1504.

Purpose, §6-81-1503.

Repayment of loan, §6-81-1506.

Rulemaking authority, §6-81-1506.

Student continuing eligibility, §6-81-1505.

Title of act, §6-81-1501.

Universities and colleges.

Religious clothing.

Authorization to act, §6-63-101.

State teacher assistance resource program, §§6-81-1501 to 6-81-1507.

University assisted teacher recruitment and retention grant program, §6-81-1301.**TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM, §§6-50-201 to 6-50-208.**

Amount of loan forgiveness, §6-50-207.

Educational programs.

Approval, §6-50-205.

Eligibility.

Institutions, §6-50-204.

Student eligibility, §6-50-206.

Established, §6-50-201.**Failure to repay loans, §6-50-208.****Institutions.**

Eligibility, §6-50-204.

Purpose, §6-50-202.**Repayment of loans, §6-50-208.****State board of workforce education and career opportunities.**

Administration of program, §6-50-203.

Certification of eligible persons, §6-50-206.

Educational program approval and priorities, §6-50-205.

Powers, §6-50-203.

Students.

Application for program, §6-50-206.

Eligibility, §6-50-206.

TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS, §§6-61-1001 to 6-61-1014.**Authority of board of trustees.**

Financing project, §6-61-1012.

**TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS**

—Cont'd

Authority of board of trustees

—Cont'd

Issuance of bonds, §§6-61-1003,
6-61-1011.

Refunding bonds, §6-61-1013.

Use of available funds, §6-61-1014.

Authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

Bond issues.

Board of trustees, §§6-61-1003,
6-61-1011.

State board of higher education,
§6-61-1010.

**Debt for which full faith and credit
of state pledged.**

Bonds not considered, §6-61-1009.

Definitions, §6-61-1002.

Financing project.

Authority of board of trustees,
§6-61-1012.

Interest on bonds, §6-61-1007.

Issuance of bonds.

Authority of board of trustees,
§6-61-1011.

Authorizing resolution, §§6-61-1004,
6-61-1005.

State board of higher education,
§6-61-1010.

**Negotiation, sale of bonds,
§6-61-1008.**

**Personal liability of board members,
§6-61-1009.**

Public sale of bonds, §6-61-1008.

Purposes of bonds, §6-61-1003.

Refunding bonds, §6-61-1013.

Resolution authorizing, §6-61-1004.

Additional terms, §6-61-1005.

Sale of bonds, §6-61-1008.

Signature on bonds, §6-61-1006.

**State board of higher education
authority, §6-61-1010.**

**Technical college and community
college capital improvement act
of 1993.**

Title of subchapter, §6-61-1001.

**Terms of authorizing resolution,
§6-61-1004.**

Additional terms, §6-61-1005.

Title of subchapter.

Technical college and community
college capital improvement act of
1993, §6-61-1001.

Use of available funds, §6-61-1014.

**TECHNICAL COLLEGE DISTRICTS,
§§6-53-601 to 6-53-605.**

Ad valorem tax levy, §6-53-603.

Amount, §6-53-601.

Collection, §6-53-603.

Continuation after college becomes
branch of existing institution,
§6-53-605.

Election, §6-53-602.

Purpose, §§6-53-601, 6-53-603.

Reduction of millage tax, §6-53-604.

**Branch of existing institution of
higher education.**

Continuation of tax after technical
college becomes, §6-53-605.

Dissolution, §6-53-604.

Election on formation, §6-53-602.

Election on tax levy, §6-53-602.

Formation, §6-53-602.

Intent of subchapter, §6-53-601.

Notice of election, §6-53-602.

Purposes of subchapter, §6-53-601.

TECHNICAL COLLEGES.

**Arkansas northeastern college,
§§6-59-101 to 6-59-111.**

See ARKANSAS NORTHEASTERN
COLLEGE.

**Arkansas State university-Beebe,
§§6-65-217 to 6-65-224.**

See ARKANSAS STATE
UNIVERSITY-BEEBE.

Arkansas state university-Searcy.

General provisions, §§6-56-101 to
6-56-110.

See ARKANSAS STATE
UNIVERSITY-SEARCY.

**Arkansas tech university, §§6-57-101
to 6-57-104.**

**Bond issues for capital
improvements.**

Generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.

**National park community college,
§§6-58-101 to 6-58-112.**

See NATIONAL PARK COMMUNITY
COLLEGE.

**Ouachita technical college, Malvern,
§§6-54-101 to 6-54-105.**

See OUACHITA TECHNICAL
COLLEGE, MALVERN.

**Postsecondary vocational and
technical education.**

Technical colleges generally,
§§6-53-301 to 6-53-307.

See VOCATIONAL EDUCATION
AND REHABILITATION.

TECHNICAL COLLEGES —Cont'd

Technical college districts, §§6-53-601
to 6-53-605.

See **TECHNICAL COLLEGE**
DISTRICTS.

TRANSPORTATION.**University of Arkansas.**

Free transportation for certain officers,
§6-64-105.

Research and education program.

Funding, §6-64-1010.

TREASURER OF STATE.**Henderson State University.**

Board of trustees.

Funds.

Custodian of funds, §6-66-110.

University of Central Arkansas.

Funds.

Duties, §6-67-111.

TRUSTS AND TRUSTEES.**Universities and colleges.**

Board of higher education.

Administration of trusts and
endowments, §6-61-213.

Conveyances to state for higher
learning institutions.

Administration by board of
institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only
from funds of property,
§6-62-504.

Fee simple title subject to
encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.
Separate deposit, §6-62-507.

No charge of income against
appropriations, §6-62-507.

Manner of dealing with property,
§6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

TUITION.

Community colleges, §6-61-523.

National guard.

Tuition assistance plan, §6-60-211.

**Tax-deferred tuition savings
program, §§6-84-101 to 6-84-113.**

See **TAX-DEFERRED TUITION**
SAVINGS PROGRAM.

Universities and colleges.

Board of higher education.

Powers and duties as to student
fees, §6-61-215.

TUITION —Cont'd**Universities and colleges —Cont'd**

Dental students in out-of-state
professional programs.

Repayment of tuition by state of
Arkansas, §§6-81-1103,
6-81-1104.

Military affairs.

In-state tuition for military
personnel and dependents,
§6-60-205.

World War I veterans.

Free tuition, §6-60-206.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or
killed in action.

Free tuition and fees for dependents.
Allowance, §6-82-601.

Definitions, §6-82-601.

Rules and regulations, §6-82-601.

Professional schools.

Tuition assistance for students
attending certain out of state
professional schools, §6-81-1101.

Tax-deferred tuition savings program,
§§6-84-101 to 6-84-113.

See **TAX-DEFERRED TUITION**
SAVINGS PROGRAM.

Veterans.

Children of certain veterans,
§6-82-602.

World War I veterans.

Free tuition, §6-60-206.

**University of Arkansas for medical
sciences.**

Medical department.

Fees, §6-64-408.

TWIN LAKES**VOCATIONAL-TECHNICAL
SCHOOL, HARRISON.**

**Institution designated as technical
college, §6-53-301.**

U**UNITED STATES.****Agricultural colleges.**

Arkansas state university.

Federal aid.

Vouchers drawn by disbursing
agent, §6-65-204.

Student loans.

Guarantee foundation.

Administration of student loan
provisions of federal laws,
§6-81-201.

UNITED STATES —Cont'd**Universities and colleges.**

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.

Collaboration with United States bureau, §6-64-714.

Contracts with United States, §6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions of grant.

Acceptance of conditions, §6-60-101.

UNIVERSITIES AND COLLEGES.**Academic challenge scholarship program, §§6-82-1001 to 6-82-1010.**

Amount of award, §6-82-1006.

Creation, §6-82-1003.

Declaration of public necessity, §6-82-1001.

Definitions, §6-82-1002.

Department of higher education.

Authority, §6-82-1004.

Duration of award, §6-82-1006.

Eligible students, §6-82-1005.

Legislative findings, §6-82-1001.

Nursing school eligibility, §6-82-1007.

Priority for teaching commitment, §6-82-1009.

Teaching requirements, §6-82-1010.

Unfunded awards, §6-82-1008.

Academic clemency, §6-60-207.**Actions.**

Improvement districts.

Assessments.

Liens.

Enforcement. See within this heading, "Improvement districts."

Admissions.

College preparatory core curriculum completion required, §6-60-208.

Conditional collegiate admission process, §6-60-208.

Nonresidents.

Regulation of admission and enrollment, §6-60-201.

Off-campus enrollments, §6-60-203.

Standards to be developed by college or university, §6-60-208.

UNIVERSITIES AND COLLEGES

—Cont'd

Advertising.

Private outside work using campus facilities.

Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

Advisory committees and consuls, §6-61-204.

Affirmative action programs, §6-63-103.

Aged persons.

Fees.

Waiver of general student fee charges, §6-60-204.

American sign language.

Qualification as foreign language, §6-61-125.

Appeals.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

Appraisals and appraisers.

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Appropriations.

Transfer of appropriations, §6-62-104.

Arkansas college savings bond act of 1989, §§6-62-701 to 6-62-725.

Arkansas higher education performance reporting system, §6-61-127.

Arkansas institution for advocacy for the blind, §§6-61-115 to 6-61-117.

Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.

Arkansas Northeastern college.

General provisions, §§6-59-101 to 6-59-111.

See ARKANSAS NORTHEASTERN COLLEGE.

Arkansas State University.

Generally, §§6-65-201 to 6-65-224.

See ARKANSAS STATE UNIVERSITY.

Arkansas State University-Beebe, §§6-65-217 to 6-65-224.

See ARKANSAS STATE UNIVERSITY-BEEBE.

UNIVERSITIES AND COLLEGES

—Cont'd

Arkansas State University-Searcy.

General provisions, §§6-56-101 to 6-56-110.

See ARKANSAS STATE UNIVERSITY-SEARCY.

Arkansas tech university, §§6-57-101 to 6-57-104.

Generally, §§6-65-301 to 6-65-305.

See ARKANSAS TECH UNIVERSITY.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

Academic and financial need criteria, §§6-82-1605, 6-82-1606.

Administration, §6-82-1604.

Advisory committee, §6-82-1612.

Age requirement, §6-82-1605.

Amounts of grants, §6-82-1608.

Application process, §6-82-1607.

Authority of department of higher education, §6-82-1604.

Creation, §6-82-1603.

Definitions, §6-82-1602.

Department approval of student transfers, §6-82-1611.

Direct aid to students, §6-82-1609.

Duties of advisory committee, §6-82-1612.

Duties of grant applicants, §6-82-1607.

Eligibility, §6-82-1605.

Entitlement to grant, §6-82-1606.

Establishment, §6-82-1603.

Funding, §6-82-1614.

High school or G.E.D. diploma requirement, §6-82-1605.

Legislative findings, §6-82-1601.

Maximum total grant amount, §6-82-1608.

Public policy, §6-82-1601.

Refund payments to department, §6-82-1610.

Reporting by department, §6-82-1613.

Rulemaking authority, §§6-82-1604, 6-82-1613.

Student awards, §6-82-1609.

Student transfers to another school, §6-82-1611.

Withdrawal and refunds, §6-82-1610.

Assessments.

Improvement districts. See within this heading, "Improvement districts."

Student assessment programs, §6-61-111.

Athletic programs.

Assessment of student athletic fee, §6-62-804.

UNIVERSITIES AND COLLEGES

—Cont'd

Athletic programs —Cont'd

Board of trustees.

Certification of program, §6-62-805.

Declaration of purpose, §6-62-801.

Deficits, §6-62-804.

Definitions, §6-62-802.

Funding limits, §6-62-803.

Limits of funding, §6-62-803.

Purpose of subchapter, §6-62-801.

Reporting expenditures, §6-62-807.

Rulemaking power of state board of higher education, §6-62-806.

State board of higher education.

Rulemaking authority, §6-62-806.

Uniform reporting of athletic expenditures and revenue, §6-62-106.

Women's athletic programs.

Discrimination prohibited, §6-62-806.

Attorney general.

Eminent domain.

Legal representation of board of trustees, §6-62-201.

Audits.

Enrollment data, §6-60-209.

Blind persons.

Arkansas institution for advocacy for the blind, §§6-61-115 to 6-61-117.

Electronic versions of instructional materials.

Transcription into Braille, §6-68-105.

Board of higher education.

Advisory committees and consuls.

Authority to establish, §6-61-204.

Athletic programs.

Rulemaking authority, §6-62-806.

Budgets, §6-61-209.

Chairman, §6-61-201.

Compensation, §6-61-201.

Director, §6-61-203.

Compensation, §6-61-203.

Qualifications, §6-61-203.

Duties, §6-61-202.

Endowments.

Administration, §6-61-213.

Federal aid.

State agency for federal programs, §6-61-212.

Finance.

Allocation of additional state funds, §6-61-210.

Meetings, §6-61-201.

Membership, §6-61-201.

Minority scholarship or grant program.

Annual review, §6-82-102.

UNIVERSITIES AND COLLEGES

—Cont'd

Board of higher education —Cont'd

New units of instruction, research and public service.

Defined, §6-61-208.

Proposals for.

Evaluation, §6-61-208.

Personnel.

Policies and administration,
§6-61-214.

Planning.

Encouragement of participation,
§6-61-305.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations,
§6-61-206.

Powers, §6-61-202.

Review of programs, §6-61-207.

Rising junior test, §6-61-114.

Savings bonds.

Powers and duties.

Issuance of bonds, §6-62-709.

Staff, §6-61-203.

Studies, §6-61-206.

Surveys, §6-61-206.

Technical or community college capital improvement bonds.

Authority of state board, §6-61-1010.

Terms of members, §6-61-201.

Transfer students.

Policies for, §6-61-216.

Trusts.

Administration, §6-61-213.

Tuition.

Powers and duties as to student fees, §6-61-215.

Uniform reporting standards as to revenues and expenditures by institutions.

Establishment by board, §6-61-222.

Boards of trustees.

Athletic programs.

Certification of program, §6-62-805.

Duties.

Existing governing boards.

Powers and duties unaffected,
§6-61-103.

Powers.

Existing governing boards.

Powers and duties unaffected,
§6-61-103.**Bond issues.**

Buildings. See within this heading, "Buildings."

Improvement districts.

Authority, §6-71-115.

UNIVERSITIES AND COLLEGES

—Cont'd

Bond issues —Cont'dSavings bonds, §§6-62-701 to 6-62-725.
See within this heading, "Savings bonds."Technical college and community college capital improvements,
§§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Bonds, surety.

Improvement districts.

Collectors and treasurer, §6-71-114.

Borrowing money.

Private borrowing, §6-62-105.

Branch campus or program.

Establishment.

Procedure for approval, §6-61-303.

Budgets.

Board of higher education, §6-61-209.

Buildings.

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues,
§6-61-202.

Commission on coordination of higher education finance.

Advice necessary prior to issuance, §6-62-306.

Nonbinding effect of advice on board of institution,
§6-62-306.Construction and effect of act,
§6-62-306.

Information submitted to commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.

Refinancing valid outstanding obligations.

Cancellation of refunded outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded outstanding obligations,
§6-62-312.

UNIVERSITIES AND COLLEGES

—Cont'd

Buildings —Cont'd

Bond issues —Cont'd

Refunding bonds —Cont'd

Terms and conditions, §6-62-312.

Related agreements authorized,

§6-62-310.

Terms and conditions of bonds,

§6-62-308.

Construction.

Authorized, §6-62-302.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Bond issues. See within this

subheading, "Bond issues."

Notes.

Financing of buildings. See within
this subheading, "Bond issues."

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded

outstanding obligations,

§6-62-312.

Rents.

Fixing, §6-62-311.

Bylaws.Unconstitutional or illegal references
to race.

Removal, §6-61-113.

Campuses.Private outside work using campus
facilities. See within this heading,
"Private outside work using
campus facilities."**Catastrophic leave bank program**

for employees, §§6-63-601,

6-63-602.

Chancellors of universities.

Housing allowance, §6-62-108.

Charters.Unconstitutional or illegal references
to race.

Removal, §6-61-113.

**College preparatory core
curriculum.**Completion for unconditional
admission to public institution of
higher education, §6-60-208.**Commission on coordination of
higher education finance.**

Buildings.

Bond issues. See within this
heading, "Buildings."**UNIVERSITIES AND COLLEGES**

—Cont'd

**Commission on coordination of
higher education finance**

—Cont'd

Designation as state agency for grants
under federal act, §6-62-313.**Community college capital
improvements.**Bond issues generally, §§6-61-1001 to
6-61-1014.See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.**Conditional collegiate admission
process, §6-60-208.****Conservation.**

Courses of study, §6-61-107.

**Consolidations and mergers,
§6-60-102.****Consortium.**Southwest Arkansas higher education
consortium, §6-61-1201.**Constitution of the United States.**

Course in United States constitution.

Required, §6-61-106.

Construction.

Buildings.

Self-liquidating projects, §6-62-306.

Improvement districts.

Inducing existing institution to move
to district, §6-71-141.**Construction and interpretation.**

Buildings.

Bond issues.

Commission on coordination of
higher education financing,
§6-62-306.

Liberal construction, §6-62-301.

Constructive service.

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.**Contracts.**Faculty/administrator development
fellows program.Written contract required,
§6-63-410.Military training property and
equipment, §6-62-102.Southern regional education compact.
Board.Cooperation and contracts with
board, §6-61-402.Transfer and lease of property of state
university.

Execution of contracts, §6-62-605.

UNIVERSITIES AND COLLEGES

—Cont'd

Conveyances.

Transfer and lease of state university property.

Instruments of conveyance,
§6-62-611.

Trust conveyances to state for higher learning institutions. See within this heading, "Trusts and trustees."

Core curriculum completion for unconditional admission to public institution of higher education, §6-60-208.**Courses of study.**

American history and civil government, §6-61-105.

American institutions and ideals,
§6-61-106.

Conservation of natural resources,
§6-61-107.

Extension courses. See within this heading, "Extension courses."

Minimum college core.
Establishment, §6-61-218.
Transferability, §6-61-218.

Remedial courses.
Testing of entering freshmen,
§6-61-110.

United States constitution, §6-61-106.

Damages.

Improvement districts.

Real property.
Petition to acquire private property.
Deposit to cover damages prior to determination, §6-71-140.
Determination of damages,
§6-71-140.
Payment of damages, §6-71-140.

Data processing.

Defined, §6-61-101.

Deaf persons.

American sign language as foreign language, §6-61-125.
Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.

Definitions.

Arkansas workforce improvement grant program, §6-82-1602.
Athletic programs, §6-62-802.
Catastrophic leave bank program,
§6-63-601.
Data processing, §6-61-101.
Improvement districts, §6-71-101.
Minor child, §6-60-210.
Savings bonds, §6-62-703.

UNIVERSITIES AND COLLEGES

—Cont'd

Definitions —Cont'd

Scholarships.

Peace officers, firefighters, teachers and certain state employees,
§6-82-501.

State scholarship program,
§6-82-202.

Transfer and lease of property of state university, §6-62-601.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Uniform reporting standards as to revenues and expenditures,
§6-61-222.

Department of higher education.

Academic challenge scholarship program.

Authority, §6-82-1004.

Arkansas higher education performance reporting system,
§6-61-127.

Faculty/administrator development fellows program.

Administration of program,
§§6-63-402, 6-63-403.

Planning.

Encouragement of participation by private institutions, §6-61-305.

Review of existing programs of higher education.

Duties of department to review,
§6-61-304.

Scholarships.

State scholarship program.
Administration generally,
§6-82-204.

Second effort scholarship program,
§6-82-1105.

Disabled persons.

Immunization of enrollees.

Physical disabilities, §6-60-504.

Discrimination.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of subchapter.

Required, §6-62-806.

Electronic versions of instructional materials.

Failure to comply with provisions as act of discrimination, §6-68-108.

Employees.

Affirmative action programs,
§6-63-103.

UNIVERSITIES AND COLLEGES

—Cont'd

Diseases.

Immunization of enrollees, §§6-60-501 to 6-60-504. See within this heading, "Immunization of enrollees."

Meningococcal disease warning, §6-61-123.

Driver education and training programs, §6-61-109.**Elections.**

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

Electronic communications.

Privacy policy, §6-61-126.

Electronic versions of instructional materials, §§6-68-101 to 6-68-108.

Braille.

Transcription into, §6-68-105.

Copyright protection, §6-68-106.

Definitions, §6-68-101.

Discrimination.

Failure to comply with provisions to constitute, §6-68-108.

Guidelines for implementation of provisions, §6-68-107.

Nonprinted instructional materials, §6-68-104.

Printed instructional materials, §6-68-102.

Student use requirement, §6-68-103.

Requests for, §6-68-105.

Eminent domain.

Action brought in name of board of trustees, §6-62-201.

Granting power to state colleges and universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting attorneys to represent board, §6-62-201.

Procedure followed in action, §6-62-201.

Resolution, §6-62-201.

Employees.

Affirmative action programs, §6-63-103.

Catastrophic leave bank program, §§6-63-601, 6-63-602.

Higher education expenditure restrictions.

Additional duties.

Additional compensation, §6-63-306.

UNIVERSITIES AND COLLEGES

—Cont'd

Employees —Cont'd

Higher education expenditure restrictions —Cont'd

Additional help restrictions, §6-63-314.

Additional positions.

Upon availability of additional funds, §6-63-305.

Maximum number, §6-63-305.

Adjunct professors, §6-63-315.

Applicability of subchapter, §6-63-302.

Other fiscal laws not superseded, §6-63-302.

Citation of subchapter, §6-63-301.

Extra help restrictions, §6-63-314.

Faculty recruitment, §6-63-309.

Exceptions to maximum salary levels, §6-63-309.

National center for toxicological research.

Special authorizations and contracts, §6-63-311.

New positions, §6-63-305.

Nine month and part-time employees, §6-63-303.

Maximum annual salary, §6-63-303.

Optional payment in twelve monthly installments, §6-63-303.

Other fiscal laws not superseded, §6-63-302.

Overtime for classified positions, §6-63-308.

Limitations, §6-63-308.

Part-time employees, §6-63-303.

Maximum annual salary, §6-63-303.

Optional payment in twelve monthly installments, §6-63-303.

Payroll deductions, §6-63-304.

Penalties.

Violations of provisions regarding salary restrictions, §6-63-307.

Program transfers.

Reorganization and consolidation of administrative functions, §6-63-310.

Reports.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

UNIVERSITIES AND COLLEGES

—Cont'd

Employees —Cont'dHigher education expenditure
restrictions —Cont'd

Salaries, §6-63-307.

Additional compensation,
§6-63-307.

Additional duties, §6-63-306.

Penalties, §6-63-307.

Deductions from payrolls,
§6-63-304.

Faculty recruitment.

Exceptions to maximum salary
levels, §6-63-309.Nine month and part-time
employees.Maximum annual salary,
§6-63-303.Optional payment in twelve
monthly installments,
§6-63-303.

Penalties, §6-63-307.

Private contributors.

Authorization for increases in
maximum compensation
levels, §6-62-103.Increase in maximum
authorized compensation
levels, §6-62-103.Qualifications of recipients of
increase in maximum
authorized levels, §6-62-103.

Short title, §6-63-301.

Title of subchapter, §6-63-301.

Transfer of appropriations from
contingency appropriation,
§6-63-312.

Monthly reports, §6-63-312.

Transfer of programs.

Reorganization and consolidation
of administrative functions,
§6-63-310.

Visiting professors, §6-63-315.

Insurance.

Salary deductions for group
insurance premiums, §6-63-102.

Reports.

Higher education expenditure
restrictions, §6-63-312.

Salaries.

Insurance.

Deductions for group insurance
premiums, §6-63-102.

Sick leave.

Catastrophic leave bank program,
§§6-63-601, 6-63-602.**UNIVERSITIES AND COLLEGES**

—Cont'd

Employees —Cont'd

Social security number.

Use on employee identification
cards, §6-61-126.**Enrollment data**, §6-60-209.**Exemptions from provisions.**

Southern Arkansas university.

El Dorado branch, §6-61-102.

Southwest technical institute,
§6-61-102.**Expansion of institutions**, §6-61-303.**Expenditure uniform reporting
standards**, §6-61-222.**Extension courses.**

Authorized, §6-60-402.

Courses of instruction, §6-60-404.

Establishment.

Authority, §6-60-402.

Facilities, §6-60-404.

Guidelines, §6-60-403.

Legislative intent, §6-60-401.

Purpose of provisions, §6-60-401.

Requirements, §6-60-403.

Eye protection, §6-61-108.**Faculty/administrator development
fellows program.**

Administration of program.

Department of higher education,
§§6-63-402, 6-63-403.

Alumni.

Levels of support, §6-63-407.

Payment of fellowship award,
§6-63-409.

Qualifications, §6-63-409.

Contracts.

Written contract required,
§6-63-410.Current faculty, administrators and
other employees.

Levels of support, §6-63-407.

Matching funds, §6-63-408.

Qualifications, §6-63-408.

Salary and benefits, §6-63-408.

Department of higher education.

Administration of program,
§§6-63-402, 6-63-403.

Duration of designation, §6-63-411.

Renewal of designations, §6-63-412.

Eligibility, §6-63-406.

Establishment of program, §6-63-402.

Funds.

Matching funds, §6-63-404.

Allocation, §6-63-411.

Current faculty, administrators
and other employees,
§6-63-408.

UNIVERSITIES AND COLLEGES

—Cont'd

Faculty/administrator development fellows program —Cont'd

Legislative declaration, §6-63-401.

Levels of support, §6-63-407.

Limitations on number of persons receiving payments, §6-63-405.

Matching funds, §6-63-404.

Allocation, §6-63-411.

Current faculty, administrators and other employees, §6-63-408.

Number of persons receiving payments.

Limitation, §6-63-405.

Postfellowship employment, §6-63-413.

Termination, §6-63-414.

Purposes, §6-63-401.

Qualifications, §6-63-406.

Repayment, §6-63-415.

Salaries.

Postfellowship employment, §6-63-413.

Termination of fellowship or employment, §6-63-414.

Repayment, §6-63-415.

Faculty performance review, §6-63-104.**Federal aid.**

Board of higher education.

State agency for federal programs, §6-61-212.

Student incentive grant program, §6-61-401.

Fees.

Aged persons.

Waiver of general student fee charges for persons over sixty, §6-60-204.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Finance.

Board of higher education.

Allocation of additional state funds, §6-61-210.

Buildings.

Bond issues. See within this heading, "Buildings."

Commission on coordination of higher education finance.

Buildings.

Bond issues. See within this heading, "Buildings."

Designation as state agency for grants under federal act, §6-62-313.

UNIVERSITIES AND COLLEGES

—Cont'd

Financial aid formula, §§6-61-223, 6-61-224.**Forms.**

Improvement districts.

Assessments.

Collection of assessments, §§6-71-116, 6-71-117.

Funds.

Faculty/administrator development fellows program.

Matching funds, §6-63-404.

Allocation, §6-63-411.

Current faculty, administrators and other employees, §6-63-408.

Higher education consolidation matching fund, §6-60-102.

Research development.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

Graduation.

Rates.

Information, §6-61-220.

Grants.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

Selective service act.

Compliance with required, §6-80-102.

Student incentive grant program, §6-61-401.

Guardians ad litem.

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad litem for persons under a disability, §6-71-138.

Henderson State University, §§6-66-101 to 6-66-113.

See HENDERSON STATE UNIVERSITY.

Higher education minority retention programs, §6-61-122.

Minority defined, §6-61-121.

Higher education tuition adjustment fund, §6-60-303.**High school students.**

Enrollment of qualified students as part-time students in institutions of higher education, §6-60-202.

UNIVERSITIES AND COLLEGES

—Cont'd

High school students —Cont'd

Minimum core courses for college prep,
§6-61-217.

History.

Course in American history and civil
government.

Required, §6-61-105.

Identification cards.

Student or employee identification
cards.

Prohibited use of social security
number, §6-61-126.

Immunization of enrollees.

Legislative declaration.

Purpose of subchapter, §6-60-501.

Physical disabilities, §6-60-504.

Proof of immunity, §6-60-502.

Time, §6-60-502.

Purpose of subchapter, §6-60-501.

Religious objections, §6-60-504.

Rules and regulations.

Authority of state board of health to
adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Appeals.

Assessments, §6-71-107.

Applicability of provisions.

Exceptions.

Commission form of government,
§6-71-102.

Approval of chapter.

Election method, §6-71-105.

Petition method, §6-71-105.

Assessments.

Amount.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Appeals, §6-71-107.

Apportionment, §6-71-108.

Correction of description of property,
§6-71-129.

Deferral of levy, §6-71-110.

Delinquencies.

Penalties, §6-71-118.

Forms.

Warrant for collection of
assessments, §6-71-116.

Installments.

Annual installments, §6-71-108.

Levy of assessment.

Deferral of levy, §6-71-110.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens.

Actions to enforce.

Allowance to special
commissioner for sale of
land, §6-71-132.

Appeals to supreme court,
§6-71-136.

Best bidder to have property
sold to him, §6-71-131.

Brought in name of district,
§6-71-127.

Cause of action, §6-71-119.

Certificate of purchase to be
filed as prerequisite to
issuance of deed, §6-71-130.

Commissioner's deed to
purchaser, §6-71-130.

Constructive service of process,
§6-71-124.

Correction of description of
property, §6-71-129.

Decree, form, §6-71-126.

Deed of commissioner to
purchaser, §6-71-130.

Default decrees, §6-71-123.

Defendants, §6-71-122.

Direction for sale of property,
§6-71-128.

District to purchase where no
other purchaser, §6-71-131.

Exhibition of resolutions or
documents unnecessary,
§6-71-120.

Filing of certificate of purchase
as prerequisite to issuance
of deed, §6-71-130.

Form of decree, §6-71-126.

Generally, §6-71-119.

Guardian ad litem appointed in
cases of owners' disability,
§6-71-138.

In rem proceedings where owner
unknown, §6-71-122.

Interest on redemption,
§6-71-134.

Joinder of actions against
several owners, §6-71-121.

Mentally diseased or defective
owners, §6-71-137.

Minor owners, §6-71-137.

Nonresident owners, §6-71-137.

Notice by publication, §6-71-137.

Owner to reimburse purchaser
for assessments paid upon
redemption, §6-71-135.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Payment to clerk to redeem,
§6-71-134.Precedence over other cases,
§6-71-125.Price paid special commissioner
to be stated in certificate of
purchase, §6-71-133.Publication of notice,
§§6-71-124, 6-71-137.

Redemption, §6-71-134.

Reimbursement for assessments
by purchaser, §6-71-135.Resolutions or documents need
not be exhibited, §6-71-120.

Sale of property, §6-71-128.

Special commissioner to receive
allowance for sale of land,
§6-71-132.Statement of price paid special
commissioner in certificate
of purchase, §6-71-133.Suit in name of district,
§6-71-127.Summons and process,
§6-71-123.Supreme court appeals,
§6-71-136.Supreme court decision,
§6-71-136.Time for appeal to supreme
court, §6-71-136.Time limit for redemption,
§6-71-134.Transcript on appeal to supreme
court, §6-71-136.Assessment as lien on real
property, §6-71-109.Maintenance assessments,
§6-71-113.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Notice.

Actions to enforce lien, §6-71-137.

Collection.

Form, §6-71-117.

Publication, §6-71-117.

Filing of assessments, §6-71-107.

Maintenance assessments,
§6-71-113.Sale of property to enforce lien,
§6-71-128.**UNIVERSITIES AND COLLEGES**

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Procedure, §6-71-107.

Railroads, §6-71-112.

Tramroads, §6-71-112.

Warrant for collection.
Form, §6-71-116.

Assessors.

Appointment, §6-71-107.

Assessments generally. See within
this subheading, "Assessments."

Defined, §6-71-101.

Oath, §6-71-107.

Benefits.

Requirements for receipt, §6-71-142.

Bond issues.

Authority to issue, §6-71-115.

Borrowing money.

Authority to borrow, §6-71-115.

City of first class.

Created and constituted a special
improvement district, §6-71-103.

Collectors.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Defined, §6-71-101.

Commissioners.

Annual statements, §6-71-104.

Assistants.

Employment, §6-71-104.

Defined, §6-71-101.

Management of district, §6-71-104.

Oath, §6-71-104.

Organization, §6-71-104.

Per diem, §6-71-104.

Quorum, §6-71-104.

Rules and regulations, §6-71-104.

Vacancies, §6-71-104.

Commission form of government.

Exception as to cities with,
§6-71-102.Construction and maintenance of
college or university.Inducing existing institution to move
to district, §6-71-141.

Corporate limits.

Defined, §6-71-101.

Counties.

Multidistrict counties, §6-71-106.

Definitions, §6-71-101.

Elections.

Approval of chapter, §6-71-105.

First class city.

Created and constituted a special
improvement district, §6-71-103.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Inducing existing institution to move to district, §6-71-141.

Multidistrict counties, §6-71-106.

Notice.

Assessments, §§6-71-107, 6-71-113.

Action to enforce lien, §6-71-137.

Notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire, §6-71-140.

Petitions.

Approval of chapter, §6-71-105.

Real property.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

Notice to owner, §6-71-140.

Power to hold and acquire, §6-71-139.

Requirements for receipt of benefits, §6-71-142.

Treasurer.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Incorporation.

Advisory committee, §6-61-302.

Composition, §6-61-302.

Expenses of members, §6-61-302.

Terms of members, §6-61-302.

Certificate, §6-61-301.

Generally, §6-61-301.

Misdemeanors.

Violations of provisions, §6-61-301.

Penalties.

Violations of provisions, §6-61-301.

Revocation of certification, §6-61-301.

In rem proceedings.

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

UNIVERSITIES AND COLLEGES

—Cont'd

Insurance.

Employees.

Salary deductions for group insurance premiums, §6-63-102.

Transfer and lease of state university property.

Title insurance, §6-62-611.

Interest.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

Investments.

Transfer and lease of state university property, §6-62-613.

Jury.

Improvement districts.

Real property.

Petition to acquire private property.

Trial by jury, §6-71-140.

Leases.

Transfer and lease of property of state university. See within this heading, "Transfer and lease of property."

Liens.

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

Actions to enforce lien. See within this heading, "Improvement districts."

Loans.

Private borrowing by institutions of higher education, §6-62-105.

Selective service act.

Compliance with required, §6-80-102.

Student financial aid.

Anti-stacking, §6-80-105.

Student loans.

See STUDENT LOANS.

Mergers, §6-60-102.**Military affairs.**

Military training property and equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or killed in action.

Tuition.

Free tuition and fees for dependents, §6-82-601.

Students called into military service, §6-61-112.

UNIVERSITIES AND COLLEGES

—Cont'd

Military affairs —Cont'd

Tuition.

In-state tuition for military personnel and dependents, §6-60-205.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Veterans having served between September 16, 1940 and December 31, 1946.

Children of certain veterans, §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

Minority scholarship or grant program.

Annual review, §6-82-102.

Minors.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners under a disability, §6-71-137.

Misdemeanors.

Incorporation.

Violations of provisions, §6-61-301.

Missing in action.

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

Mortgages and deeds of trust.

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

Motor vehicles.

Driver education and training programs, §6-61-109.

National center for toxicological research.

Employees.

Higher education expenditure restrictions.

Special authorization and contracts, §6-63-311.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

UNIVERSITIES AND COLLEGES

—Cont'd

National park community college.

General provisions, §§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY COLLEGE.

Nonresidents.

Admission.

Regulation of admission and enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where owners nonresidents, §6-71-137.

Notes.

Buildings.

Bond issues generally. See within this heading, "Buildings."

Notice.

Buildings.

Bond issues.

Commission on coordination of higher education finance, §6-62-306.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.

Publication of notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire private property, §6-71-140.

Oaths.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

Off-campus enrollments, §6-60-203.**Office of accountability.**

Created, §6-61-902.

Declaration of purpose, §6-61-901.

Functions, §6-61-902.

Purpose, §6-61-901.

Out-of-state tuition, §6-82-103.**Penalties.**

Higher education expenditure restrictions.

Salary restrictions, §6-63-307.

UNIVERSITIES AND COLLEGES

—Cont'd

Penalties —Cont'd

Improvement districts.

Assessments.

Delinquencies, §6-71-118.

Incorporation.

Violations of provisions, §6-61-301.

Personnel.

Board of higher education.

Policies and administration,
§6-61-214.**Petitions.**

Improvement districts.

Approval of chapter.

Petition method, §6-71-105.

Planning.

Board of higher education.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations,
§6-61-206.Encouragement of participation by
private institutions, §6-61-305.**Police corps program**, §§6-82-1201 to
6-82-1204.**Presidents of universities.**

Housing allowance, §6-62-108.

Prisoners of war.

Tuition.

Free tuition and fees for dependents,
§6-82-601.**Privacy policy.**

Electronic communications, §6-61-126.

Private outside work using campus facilities.Authorization of employees of
institutions.

Findings, §6-62-401.

Charge for use of facilities, §6-62-401.

Findings, §6-62-401.

Publicity and advertising to show that
institution and state not
contractually obligated, §6-62-401.

Reports.

Financial reports, §6-62-401.

Written permission, §6-62-401.

Professional schools.Tuition assistance for residents
attending certain out of state
schools, §6-81-1101.**Program transfers**, §6-61-104.**Prosecuting attorneys.**

Eminent domain.

Legal representation of board,
§6-62-201.**UNIVERSITIES AND COLLEGES**

—Cont'd

Publication.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners
are nonresidents or persons
under a disability,
§6-71-137.

Notice for collection, §6-71-117.

Racial minorities.

Charters, bylaws or rules.

Removal of unconstitutional or
illegal references to race,
§6-61-113.Higher education minority retention
programs, §6-61-122.

Minority defined, §6-61-121.

Reporting minority enrollment,
§6-61-124.**Real property.**

Improvement districts.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior
to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to
determination, §6-71-140.Entry on land after deposit,
§6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire,
§6-71-139.Transfer and lease of property of state
university. See within this
heading, "Transfer and lease of
property."**Recordation.**Trust conveyances to state for higher
learning institutions, §6-62-503.**Refunding bonds.**

Buildings.

Bond issues. See within this
heading, "Buildings."**Religion.**

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

Remedial courses.Reduction of state funds expended on
remediation, §6-62-107.

UNIVERSITIES AND COLLEGES

—Cont'd

Remedial courses —Cont'd

Reporting of graduates requiring postsecondary remediation, §6-61-221.

Testing of entering freshman for, §6-61-110.

Reports.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Employees.

Higher education expenditure restrictions.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Graduates requiring postsecondary remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving state funds, §6-62-107.

Scholarships.

Annual report to general assembly on impact of programs, §6-82-104.

Uniform reporting standards.

Revenues and expenditures, §6-61-222.

Research development.

Administration of program, §6-61-803.

Citation of subchapter, §6-61-801.

Creation of program, §6-61-803.

Funds.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Legislative intent, §6-61-802.

Purpose of subchapter, §6-61-802.

Short title of subchapter, §6-61-801.

Residents, §6-60-210.

Retention.

Rate information, §6-61-220.

Revenue uniform reporting standards, §6-61-222.**Review of existing programs of higher education.**

Department of higher education.

Duties of department to review, §6-61-304.

Rich Mountain community college,

§§6-61-701 to 6-61-706.

See RICH MOUNTAIN COMMUNITY COLLEGE.

UNIVERSITIES AND COLLEGES

—Cont'd

Rising junior test, §6-61-114.**Rules and regulations.**

Athletic programs, §6-62-806.

Expansion of institutions, §6-61-303.

Immunization of enrollees.

Authority of state board of health to adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Commissioners, §6-71-104.

Race.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

Scholarships.

Peace officers, firefighters, teachers and certain state employees, §6-82-502.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees, §6-82-601.

Salaries.

Employees.

Higher education expenditure restrictions. See within this heading, "Employees."

Insurance.

Deductions for group insurance premiums, §6-63-102.

Faculty/administrator development fellows program.

Postfellowship employment, §6-63-413.

Private contributors.

Increase in maximum authorized compensation level.

Authorization, §6-62-103.

Purposes of act, §6-62-103.

Qualifications of individual to receive payments, §6-62-103.

Savings bonds, §§6-62-701 to 6-62-727.

Amount of principal, §6-62-708.

Amount outstanding, §6-62-707.

Arkansas development finance authority.

Definition of "authority," §6-62-703.

Marketing strategies.

Development, §6-62-706.

Powers and duties, §6-62-705.

Authority to issue bonds, §6-62-707.

Duties as to issuance of bonds, §6-62-709.

Resolutions of authority.

Issuance of bonds, §6-62-714.

Authorized, §6-62-707.

UNIVERSITIES AND COLLEGES

—Cont'd

Savings bonds —Cont'd

Bond funds, §6-62-719.

Citation of subchapter, §6-62-701.

Conditions and terms.

Generally, §6-62-712.

Series bonds, §6-62-713.

Construction of subchapter, §6-62-704.

Debt service reserve fund, §6-62-719.

Declaration of public necessity,
§6-62-702.

Definitions, §6-62-703.

Deposit of proceeds, §6-62-723.

Disbursement of funds, §6-62-724.

Employment of administrative agents,
fiscal agent and legal counsel,
§6-62-717.

Execution, §6-62-716.

Financial aid or assistance, §6-62-706.

Financial incentives, §6-62-710.

Financial resources, §6-62-706.

General obligations, §6-62-718.

Incentives.

Financial incentives, §6-62-710.

Investments, §6-62-724.

Legal investments, §6-62-720.

Judicial review, §6-62-725.

Priority, §6-62-725.

Legislative findings, §6-62-702.

Liabilities and rights, §§6-62-721,
6-62-722.

Marketing strategies.

Development by authority,
§6-62-706.

Payment, §6-62-719.

Pledge of revenues, §6-62-718.

Principal amount, §6-62-708.

Projects.

Selection, §6-62-714.

Purposes, §6-62-711.

Refunding bonds, §6-62-715.

Rights and liabilities, §§6-62-721,
6-62-722.Rules and regulations, §§6-62-726,
6-62-727.

Sale, §6-62-717.

Deposit of proceeds, §6-62-723.

Series bonds.

Terms and conditions, §6-62-713.

State board of higher education.

Powers and duties, §6-62-705.

Issuance of bonds, §6-62-709.

Tax exemption, §6-62-720.

Terms and conditions.

Generally, §6-62-712.

Series bonds, §6-62-713.

Title of subchapter, §6-62-701.

UNIVERSITIES AND COLLEGES

—Cont'd

Savings bonds —Cont'd

Trust indentures, §6-62-714.

Scholarships.

Allocation, §6-82-209.

Amount, §6-82-208.

Award directly to student, §6-82-210.

Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.

Eligibility, §§6-82-205, 6-82-206.

Enhancement of student assistance
grant program, §6-82-213.Governor's scholars program,
§§6-82-301 to 6-82-314.

See EDUCATION.

Minority scholarship or grant
programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers
and certain state employees.Age limit for scholarships,
§6-82-505.

Application for benefits.

Written application, §6-82-506.

Awards to children, §6-82-504.

Definitions, §6-82-501.

Entitlement, §6-82-503.

Age limit, §6-82-505.

Rules and regulations, §6-82-502.

Self-inflicted injuries.

Benefits not to accrue, §6-82-503.

Spouses.

Remarriage, §6-82-505.

Written application for benefits,
§6-82-506.Police corps program, §§6-82-1201 to
6-82-1206.

Refunds, §6-82-211.

Reports.

Annual report to general assembly
on impact of programs,
§6-82-104.

Residents, §6-60-210.

Selective service act.

Compliance with required,
§6-80-102.

State scholarship program.

Administration.

Department to administer,
§6-82-204.

Applications.

Termination date for acceptance,
§6-82-204.

Definitions, §6-82-202.

Department of higher education.

Administration of program,
§6-82-204.

UNIVERSITIES AND COLLEGES

—Cont'd

Scholarships —Cont'd

State scholarship program —Cont'd

Department of higher education

—Cont'd

Authority and responsibility,

§6-82-204.

Duties of applicant, §6-82-207.

Established, §6-82-203.

Legislative intent, §6-82-201.

Purpose of act, §6-82-201.

Student loans.

General provisions.

See STUDENT LOANS.

Teachers.

Critical needs minority teacher

scholarship program,

§§6-82-1501 to 6-82-1506.

University assisted teacher

recruitment and retention grant

program, §6-81-1301.

Transfer to other school, §6-82-212.

Withdrawal of recipient from
institution.

Refunds, §6-82-211.

Second effort scholarship program.

Amount of award, §6-82-1104.

Creation, §6-82-1101.

Definitions, §6-82-1102.

Department of higher education.

Review of program by director,

§6-82-1105.

Rulemaking authority, §6-82-1105.

Duration of award, §6-82-1104.

Eligible students, §6-82-1103.

Certified list, §6-82-1105.

Funding, §6-82-1104.

Number of scholarships, §6-82-1103.

Purpose, §6-82-1101.

Review, §6-82-1105.

Rules and regulations.

Promulgation by department of
higher education, §6-82-1105.**Selective service act.**

Compliance with required, §6-80-102.

Registration, §6-80-104.

Service of process.

Improvement districts.

Assessments.

Liens.

Constructive service in actions
to enforce, §6-71-124.**Sick leave for employees.**

Catastrophic leave bank program,

§§6-63-601, 6-63-602.

Sign language.American sign language as foreign
language, §6-61-125.**UNIVERSITIES AND COLLEGES**

—Cont'd

Social security number.Student or employee identification
cards, §6-61-126.**Southern Arkansas university.**

Generally, §§6-65-401 to 6-65-410.

See SOUTHERN ARKANSAS
UNIVERSITY.**Southern regional education
compact.**

Board.

Contracts and cooperation with
board, §6-61-402.**Southwest Arkansas higher
education consortium,
§6-61-1201.****Student enrollee.**

Immunization, §§6-60-501 to 6-60-504.

See within this heading,

“Immunization of enrollees.”

**Student incentive grant program,
§6-61-401.****Student loans.**General provisions, §§6-81-101 to
6-81-130.

See STUDENT LOANS.

**Student outcomes assessment
program, §6-61-111.****Students called into military
service, §6-61-112.****Summons and process.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-123.

Supreme court.

Improvement districts.

Assessments.

Actions to enforce lien.

Appeals to supreme court,
§6-71-136.**Taxation.**Trust conveyances to state for higher
learning institutions.

Exemption from tax, §6-62-506.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

State teacher assistance resource
program, §§6-81-1501 to
6-81-1507.**Technical colleges.**Bond issues for capital improvements,
§§6-61-1001 to 6-61-1014.See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.

UNIVERSITIES AND COLLEGES

—Cont'd

Technical colleges —Cont'd

Ouachita technical college, Malvern,
§§6-54-101 to 6-54-105.

See **OUACHITA TECHNICAL
COLLEGE, MALVERN.**

Postsecondary vocational and technical
education.

Technical colleges generally,
§§6-53-301 to 6-53-307.

See **VOCATIONAL EDUCATION
AND REHABILITATION.**

Technical college districts, §§6-53-601
to 6-53-605.

See **TECHNICAL COLLEGE
DISTRICTS.**

Transfer and lease of property.

Affidavits.

Appraisers, §6-62-610.

Agreement for transfer and lease,
§6-62-611.

Appraisers.

Affidavit, §6-62-610.

Compensation, §6-62-610.

Determination of market value and
fair market rental, §6-62-610.

Authorized, §6-62-602.

Bank funds.

Defined, §6-62-601.

Money received as consideration
declared bank funds, §6-62-613.

Board.

Authority to transfer and lease
property, §6-62-602.

Defined, §6-62-601.

Execution of contracts, §6-62-605.

Personal liability under lease
agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Building permits.

Exemption from compliance with
laws, §6-62-606.

Consideration, §6-62-613.

Contracts.

Execution of contracts, §6-62-605.

Conveyances.

Instruments of conveyance,
§6-62-611.

Credit.

Terms of transfer, §6-62-609.

Defaults.

Right to cure default, §6-62-607.

Definitions, §6-62-601.

Encumbrances.

Right to mortgage or encumber
property, §6-62-607.

UNIVERSITIES AND COLLEGES

—Cont'd

Transfer and lease of property

—Cont'd

Fair market value.

Determination, §6-62-610.

Insurance.

Title insurance, §6-62-611.

Investments.

Money received as consideration for
transfer, §6-62-613.

Lease agreement.

Board's obligations under
agreement, §6-62-612.

Defined, §6-62-601.

Options, §6-62-612.

Repurchase of property, §6-62-612.

Right of first refusal, §6-62-612.

Liability.

Personal liability of members of
board under lease agreement,
§6-62-612.

Money received as consideration for
transfer, §6-62-613.

Mortgages and deeds of trust.

Right to mortgage or encumber
property, §6-62-607.

Negotiations with potential owners,
§6-62-609.

Owners.

Defined, §6-62-601.

Negotiations with potential owners,
§6-62-609.

Price.

Terms of transfer, §6-62-609.

Property.

Defined, §6-62-601.

Repurchase of property.

Lease agreement, §6-62-612.

Resolution authorizing, §6-62-608.

State building authority.

Review by, §6-62-606.

Terms of transfer, §6-62-609.

Title insurance, §6-62-611.

Zoning.

Exemption from compliance with
laws, §6-62-606.

Transfer of programs, §6-61-104.**Transfer students.**

Board of higher education.

Policies for, §6-61-216.

Trusts and trustees.

Board of higher education.

Administration of trusts and
endowments, §6-61-213.

UNIVERSITIES AND COLLEGES

—Cont'd

Trusts and trustees —Cont'd

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.

Separate deposit, §6-62-507.

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

Tuition.

Board of higher education.

Powers and duties as to student fees, §6-61-215.

Dental student in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Military affairs.

In-state tuition for military personnel and dependents, §6-60-205.

World War I veterans.

Free tuition, §6-60-206.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules and regulations, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Tax-deferred tuition savings program, §§6-84-101 to 6-84-113.

See TAX-DEFERRED TUITION SAVINGS PROGRAM.

Veterans having served between September 16, 1940 and December 31, 1946.

Children of certain veterans, §6-82-602.

UNIVERSITIES AND COLLEGES

—Cont'd

Tuition —Cont'd

Veterans of World War I.

Free tuition, §6-60-206.

United States.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

Higher education facilities act of 1963.

Commission on coordination of higher education finance.

Designation as state agency for grant under act, §6-62-313.

Liberal construction of act, §6-62-313.

Participation plan for federal grant, §6-62-313.

University of Arkansas, §§6-64-101 to 6-64-1010.

See UNIVERSITY OF ARKANSAS.

University of Central Arkansas, §§6-67-101 to 6-67-114.

See UNIVERSITY OF CENTRAL ARKANSAS.

Veterans.

Tuition.

Children of certain veterans having served between September 16, 1940 and December 31, 1946, §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

Vocational education and rehabilitation.

Postsecondary vocational and technical education.

Generally, §§6-51-901 to 6-51-907.

See VOCATIONAL EDUCATION AND REHABILITATION.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505.

See VOCATIONAL EDUCATION AND REHABILITATION.

Waiver.

Fees.

Aged persons.

General student fee charges waived for persons over sixty, §6-60-204.

Warrants for the payment of money.

Improvement districts.

Assessments.

Collection of assessments, §6-71-116.

UNIVERSITIES AND COLLEGES

—Cont'd

Water supply and waterworks.

Sale of water by state institutions of higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

Workers' compensation, §§6-62-1001 to 6-62-1004.

Coverage required, §6-62-1001.

Election to provide coverage through claims division, §6-62-1004.

Election to provide self-funded coverage, §6-62-1002.

Private, municipal or self-funded coverage, §6-62-1003.

UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, §6-81-1301.**UNIVERSITY OF ARKANSAS.****Accounts and accounting.**

Applicability of act.

Funds excepted from applicability, §6-64-1009.

Claims.

Allowance in payment to be listed, §6-64-1008.

Dealers.

Itemized account to be filed.

Affidavit attached, §6-64-1006.

Duplicate accounts to be filed, §6-64-1006.

Employees to file monthly accounts, §6-64-1005.

Funds excepted from applicability of act, §6-64-1009.

Itemizing statement for allowance and payment, §6-64-1007.

Penalties, §6-64-1001.

Affidavits.

Accounts and accounting.

Dealers to file itemized accounts, §6-64-1006.

Attachment of affidavits, §6-64-1006.

Agricultural department.

Reports.

Contents, §6-64-217.

Agricultural experiment stations.

Appropriations by counties, §6-64-704.

Board of trustees.

Cotton branch.

Administration of branch by board, §6-64-709.

Fruit and truck branch.

Administration by board, §6-64-708.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Board of trustees —Cont'd

Livestock and forestry branch.

Administration by board, §6-64-710.

Branch stations.

Central branch station, §6-64-706.

Cotton branch. See within this subheading, "Cotton branch."

Fruit and truck branch. See within this subheading, "Fruit and truck branch."

Location, §6-64-705.

Maintenance, §6-64-705.

Rice branch experiment station. See within this subheading, "Rice branch."

Bureau of research and statistics.

Assistants, §6-64-712.

Oath, §6-64-712.

Salaries, §6-64-712.

Collaboration with United States bureau, §6-64-714.

Contracts with United States.

Authority to make contracts, §6-64-713.

Crop and livestock statistics and information, §6-64-712.

Publication.

Use of material and information in publications, §6-64-715.

Reports.

Service of bureau, §6-64-712.

Central branch station, §6-64-706.

Assistant director in charge of, §6-64-706.

Commission, §6-64-706.

Creation, §6-64-706.

Location, §6-64-706.

Purposes, §6-64-706.

Cotton branch.

Area, §6-64-709.

Board of trustees to administer, §6-64-709.

Bulletins issued by director, §6-64-709.

Creation, §6-64-709.

Culture of cotton.

Purpose of station to experiment in cotton culture, §6-64-709.

Location, §6-64-709.

Purpose, §6-64-709.

Scientists and laboratories of

Arkansas agricultural experiment station to serve, §6-64-709.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Course of study, §6-64-702.

Director.

Assistants.

Compensation, §6-64-704.

Expenses, §6-64-704.

Investigation and recommendations,
§6-64-703.

Publication of bulletins.

Contents, §6-64-703.

Federal aid.

Acceptance, §6-64-701.

Fruit and truck branch.

Area, §6-64-708.

Board of trustees to administer,
§6-64-708.Bulletins issued by director,
§6-64-708.

Creation, §6-64-708.

Culture of fruit.

Purpose of station to experiment
in fruit and truck culture,
§6-64-708.

Location, §6-64-708.

Purpose, §6-64-708.

Scientists and laboratories of
Arkansas experiment station to
serve, §6-64-708.

Investigations.

Director, §6-64-703.

Soils, §6-64-704.

Livestock and forestry branch.

Board of trustees.

Administration, §6-64-710.

Creation, §6-64-710.

Gifts.

Real property gifts may be
accepted, §6-64-710.

Location, §6-64-710.

Real property.

Gifts accepted, §6-64-710.

Purchase, §6-64-710.

Site.

Selection by committee, §6-64-710.

Purchase of supplies, §6-64-704.

Rice branch.

Area, §6-64-707.

Board of trustees to administer,
§6-64-707.Bulletins issued by director,
§6-64-707.

Creation, §6-64-707.

Culture of rice.

Purpose of station, §6-64-707.

Location, §6-64-707.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Rice branch —Cont'd

Purpose, §6-64-707.

Scientists and laboratories of

Arkansas agricultural
experiment station to serve,
§6-64-707.

Seed-testing laboratory authorized.

Fee for testing, §6-64-711.

Appropriations.

Agricultural experiment stations.

County appropriations, §6-64-704.

Application of funds for specified
purposes only, §6-64-1002.**Area health education center
programs.**

Periodic progress reports, §6-64-414.

Athletic department.

Additional compensation, §6-64-1012.

Athletics instruction fund. See within
this heading, "Funds."**Attendance.**

Students.

Penalty for failure to record and
report attendance, §6-64-215.

Record of attendance, §6-64-215.

Report of board on attendance,
§6-64-215.

Teachers.

Penalty for failure to record and
report, §6-64-215.Report of board on attendance,
§6-64-215.**Basketball.**

Radio broadcasts, §6-64-104.

Board of trustees.

Agricultural experiment stations.

Cotton branch.

Administration of branch by
board, §6-64-709.

Fruit and truck branch.

Administration by board,
§6-64-708.

Livestock and forestry branch.

Administration by board,
§6-64-710.

Rice branch.

Administration by board,
§6-64-707.

Appointment of members, §6-64-201.

Compensation of trustees, §6-64-201.

Composition, §6-64-201.

Course of study, §6-64-101.

Expenditures.

Reports, §6-64-216.

Expenses of trustees, §6-64-201.

UNIVERSITY OF ARKANSAS

—Cont'd

Board of trustees —Cont'd

Faculty.

Leaves of absence.

Determination by board,
§6-64-209.

Financial officer.

Bonds, surety, §6-64-211.

Duties, §6-64-211.

Election, §6-64-211.

Meetings of board.

Attendance at meetings,
§6-64-212.

Meetings, §6-64-201.

Financial officers.

Attendance at meetings,
§6-64-212.

President.

Attendance at meetings,
§6-64-207.

Nepotism.

Employment of relatives prohibited.

Exceptions, §6-64-214.

Warrants.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Number of members, §6-64-201.

Powers, §6-64-202.

President.

Expenses, §6-64-207.

Meetings.

Attendance at meetings,
§6-64-207.

Purchasing agent and registrar.

Bonds, surety, §6-64-213.

Duties, §6-64-213.

Salary, §6-64-213.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Removal of members, §6-64-201.

Charges brought against members.

Findings of examinations and
inquiries.

Reduced to writing, §6-64-206.

Procedure, §6-64-204.

Service of process, §§6-64-204,
6-64-205.

Written findings, §6-64-206.

Rules and regulations.

Government of university,
§6-64-203.

Status.

Body politic and corporate,
§6-64-202.**UNIVERSITY OF ARKANSAS**

—Cont'd

Board of trustees —Cont'd

Warrants for the payment of money.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.**Bond issues.**Legal education fund, §§6-64-607 to
6-64-619. See within this heading,
"Legal education fund."**Bonds, surety.**

Board of trustees.

Financial officer, §6-64-211.

Purchasing agent and registrar,
§6-64-213.

Military department.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.Execution by surety company.
Amount, §6-64-1003.**Bureau of research and statistics.**

See within this heading,

"Agricultural experiment stations."

Chancellor for medical sciences.

Housing allowance.

Sale of state-owned home for
chancellor.

Use of proceeds, §6-64-110.

**Chancellors of two-year branch
campuses.**

Housing allowances.

Allowance in lieu of housing,
§6-64-111.**Chaplain.**

Housing allowance, §6-64-109.

Construction.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**Construction and interpretation.**

Law school, §6-64-601.

Contracts.

Agricultural experiment stations.

Bureau of research and statistics.
United States.Authority to make contract with
United States government,
§6-64-713.Research, education and technical
extension.Authority to contract to perform
research services, §6-64-905.

UNIVERSITY OF ARKANSAS

—Cont'd

Contracts —Cont'd

Research, education and technical extension —Cont'd

Authorization of contracts,
§6-64-908.

Technology institute.

Research contracts, §6-64-804.

Cooperative extension services.Market news reporting program,
§6-64-103.**Costs.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.**Cotton branch experiment station.**See within this heading,
"Agricultural experiment stations."**Counties.**

Agricultural experiment stations.

Appropriations by counties,
§6-64-704.**Course of study.**Agricultural experimental stations,
§6-64-702.

Board of trustees, §6-64-101.

Contents, §6-64-101.

Enumeration, §6-64-101.

Technology institute.

Offerings for courses, §6-64-802.

Dentists.

School of dental hygiene.

Established, §6-64-411.

Employees.

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

Evening law school division,

§6-64-621.

Experiment stations.Agricultural experiment stations. See
within this heading, "Agricultural
experiment stations."**Faculty.**

Agricultural college.

Free transportation, §6-64-105.

Assistants, §6-64-208.

Athletic department.

Additional compensation,
§6-64-1012.

Board of trustees.

Leaves of absence.

Determination by board,
§6-64-209.

Compensation, §6-64-208.

Designation of members, §6-64-208.

Leaves of absence, §6-64-209.

UNIVERSITY OF ARKANSAS

—Cont'd

Family practice department,
§6-64-409.**Federal aid.**

Agricultural experiment stations.

Acceptance of federal aid, §6-64-701.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions imposed by grant.

Acceptance, §6-60-101.

Fees.

Agricultural experiment stations.

Seed-testing laboratory, §6-64-711.

Financial assistance.

Applications.

Records and reports, §6-80-101.

Football.

Radio broadcasts, §6-64-104.

Forests and forestry.Livestock and forestry branch
experiment station. See within
this heading, "Agricultural
experiment stations."**Fruit and truck branch experiment****station.** See within this heading,
"Agricultural experiment stations."**Funds.**

Athletics instruction fund.

Creation, §6-64-1004.

Football coach.

Contracts.

Five-year contract authorized,
§6-64-1004.Purpose of fund to pay salary of
football coach, §6-64-1004.

Salary.

Amount, purpose of act as to
amount of salary,
§6-64-1004.Transfer of funds in event of
deficiency, §6-64-1004.**Receipts.**Computation of percentage of
receipts allocated to fund,
§6-64-1004.Legal education fund. See within this
heading, "Legal education fund."

Revolving loan fund, §6-81-401.

Amount of loans.

Maximum amount, §6-81-405.

Applications for loans.

Committee to accept or reject
applications, §6-81-403.Committee to accept or reject
applications, §6-81-403.

Creation, §6-81-401.

UNIVERSITY OF ARKANSAS

—Cont'd

Funds —Cont'd

Revolving loan fund —Cont'd

Defenses.

Invalid defenses, §6-81-407.

Disbursement of fund, §6-81-409.

Eligibility as borrowers, §6-81-402.

Interest on loans, §6-81-404.

Adding to revolving perpetual fund, §6-81-408.

Limitation of actions.

Defenses invalid, §6-81-407.

Maximum loan amount, §6-81-405.

Promissory notes.

Persons securing loans, §6-81-404.

Purpose, §6-81-401.

Repayment of loans.

Regulations, §6-81-406.

Rules and regulations.

Repayment of loans, §6-81-406.

Gifts.

Research, education and technical extension.

Research services.

Acceptance of grants and gifts, §6-64-905.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

Housing allowances.

Chancellor for medical sciences.

Sale of state-owned home.

Use of proceeds, §6-64-110.

Chancellors of two-year branch campuses.

Allowance in lieu of housing, §6-64-111.

Chaplain, §6-64-109.

Interest.

Revolving loan fund, §6-81-404.

Adding of interest to revolving perpetual fund, §6-81-408.

Investigations.

Agricultural experiment stations, §§6-64-703, 6-64-704.

Investments.

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds, §6-64-615.

Law school.

Bond issues.

Legal education fund, §§6-64-607 to 6-64-619. See within this heading, "Legal education fund."

UNIVERSITY OF ARKANSAS

—Cont'd

Law school —Cont'd

Construction and interpretation, §6-64-601.

Established, §6-64-602.

Evening law school division, §6-64-621.

Exclusive nature of provisions, §6-64-601.

Legal education fund. See within this heading, "Legal education fund."

Name, §6-64-602.

Leases.

Authorization of leases, §6-64-908.

Legal education fund.

Bond issues.

Agreements, §6-64-613.

Authorized, §6-64-607.

Change in costs for payments of outstanding bonds, §6-64-618.

Construction fund, §6-64-616.

Contract with holders and owner, §6-64-613.

Deposit of proceeds from bonds, §6-64-616.

Enforcement of agreements, §6-64-613.

Excess costs.

Use, §6-64-617.

Execution of bonds, §6-64-610.

Interest, §6-64-609.

Investments.

Legal investments, §6-64-615.

Pension or retirement system funds.

Authorized investments, §6-64-615.

Liability, §6-64-611.

Negotiable instruments, §6-64-609.

Outstanding bonds.

Change in costs for payments, §6-64-618.

Pledge of costs levied, §6-64-612.

Purposes, §6-64-607.

Refunding bonds.

Sale, §6-64-619.

Resolution authorizing, §6-64-608.

Retirement or pension systems.

Investment of funds.

Authorized investments, §6-64-615.

Seal, §6-64-610.

Security.

Contract with holders and owner, §6-64-613.

Not secured by mortgage or lien on land or buildings, §6-64-611.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

Bond issues —Cont'd

Security —Cont'd

Pledge of costs levied, §6-64-612.

Trust indenture, §6-64-608.

Tax exemption, §6-64-614.

Terms and conditions of bonds,
§6-64-609.

Trust indenture, §6-64-608.

Cash funds, §6-64-605.

Construction of legal education
facilities, §6-64-620.

Funds.

Deposit of proceeds from bonds,
§6-64-616.

Costs.

Levy of additional costs for.

Bond issues.

Pledge of costs levied, §6-64-612.

Use of excess funds, §6-64-617.

Cash funds, §6-64-605.

Use and priorities of funds
collected, §6-64-606.

Tax exemption, §6-64-614.

Generally, §6-64-604.

Investments.

Retirement or pension system funds,
§6-64-615.

Priorities, §6-64-606.

Professionals.

Employment, §6-64-620.

Refunding bonds.

Sale, §6-64-619.

Use, §6-64-606.

Library.Research, education and technical
extension.Computer and technical library
facilities authorized, §6-64-904.**Limitation of actions.**

Revolving loan fund.

Defenses invalid, §6-81-407.

Livestock and forestry branch,

§6-64-710.

Loans.Revolving loan fund created to aid
students. See within this heading,
"Funds."**Market news reporting program,**

§6-64-103.

Mechanical department.

Reports.

Contents, §6-64-217.

UNIVERSITY OF ARKANSAS

—Cont'd

Military department.

Bonds, surety.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.Execution of bond by surety
company.

Amount, §6-64-1003.

**Minority scholarship or grant
programs.**

Annual review, §6-82-102.

Monticello.

Boards or commissions.

Employees may not serve as voting
members, §6-64-106.Employees as ex officio members only
of boards or commissions,
§6-64-106.University of Arkansas at Monticello.
Established, §6-64-302.**Nepotism.**

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in
favor of relatives, §6-64-214.**Oaths.**

Agricultural experiment stations.

Bureau of research and statistics.
Assistants, §6-64-712.**Penalties.**

Accounts and accounting, §6-64-1001.

Attendance of students and teachers.

Failure to record and report,
§6-64-215.**Pharmacists and pharmacies.**

School of pharmacy.

Applicability of laws, §6-64-415.

Authorized, §6-64-410.

Pine Bluff campus.

University of Arkansas at Pine Bluff.

Board of visitors, §6-64-304.

Appointment of members,
§6-64-304.

Purposes, §6-64-304.

Terms of members, §6-64-304.

Established, §6-64-303.

Programs, §6-64-303.

Publications.

Agricultural experiment stations.

Bulletins published by directors.

Contents, §6-64-703.

Bureau of research and statistics.

Use of material and information
in publications, §6-64-715.

UNIVERSITY OF ARKANSAS

—Cont'd

Purchases.

Agricultural experiment stations,
§6-64-704.

Radio.

Basketball games, §6-64-104.
Football games, §6-64-104.

Railroads.

Free transportation for certain officers,
§6-64-105.

Real property.

Agricultural experiment stations.
Livestock and forestry branch.
Purchase or gift of land,
§6-64-710.

Donated land.

Execution of deed, §6-64-218.
Power to sell, §6-64-218.

Research and education program.
Established, §6-64-102.

Records.

Attendance of students and teachers,
§6-64-215.
Penalty for failure to record,
§6-64-215.
Financial assistance.
Applications, §6-80-101.

Reports.

Agricultural and mechanical
departments.
Contents of report, §6-64-217.
Agricultural experiment stations.
Bureau of research and statistics,
§6-64-712.
Attendance of students and teachers.
Board's report, §6-64-215.
Penalty for failure to report,
§6-64-215.
Expenditures, §6-64-216.
Financial assistance.
Applications, §6-80-101.
Radio broadcasting of football and
basketball games, §6-64-104.

Research.

Agricultural experiment stations.
Bureau of research and statistics.
See within this heading,
"Agricultural experiment
stations."

Research, education and technical extension.

Assistance and guidance for research
to government, education and
business interest, §6-64-906.
Center to offer advanced instruction
and engage in research and
educational services, §6-64-903.

UNIVERSITY OF ARKANSAS

—Cont'd

Research, education and technical extension —Cont'd

Computer and technical library
facilities.

Authorized, §6-64-904.

Contracts.

Authority to contract to perform
research services, §6-64-905.

Authorized, §6-64-908.

Divisions of center, §6-64-901.

Employees.

Service on boards or commissions,
§6-64-106.

Establishment.

Authorized, §6-64-901.

Expansion and reorganization to be
from surplus financial resources.

Authorized use of resources,
§6-64-907.

Graduate institute of technology,
§6-64-902.

Guidance and assistance for research
to government, education and
business interests, §6-64-906.

Industrial research and extension
center, §6-64-902.

Leases authorized, §6-64-908.

Library.

Computer and technical library
facilities authorized, §6-64-904.

Operation.

Authorized, §6-64-901.

Research and educational services.

Center to offer advanced instruction
and engage in research and
educational services, §6-64-903.

Contracting to perform, §6-64-905.

Grants and gifts.

Acceptance, §6-64-905.

Surplus financial resources.

Extension and reorganization from
surplus resources.

Authorized use of resources,
§6-64-907.

Rice branch experiment station. See
within this heading, "Agricultural
experiment stations."

Rules and regulations.

Government of university, §6-64-203.
Revolving loan fund, §6-81-406.

Scholarships.

Minority scholarship or grant
program.

Annual review by state board of
higher education, §6-82-102.

UNIVERSITY OF ARKANSAS

—Cont'd

School of law.

Legal education fund. See within this heading, "Legal education fund."

Secondary education.

Professor of secondary education.
Free transportation, §6-64-105.

Seeds.

Laboratory to test.
Authorized, §6-64-711.
Fee, §6-64-711.

Service of process.

Board of trustees.
Removal of members.
Charges brought against members, §§6-64-204, 6-64-205.

Soils.

Agricultural experiment stations.
Investigation and classification of soils, §6-64-704.

State Medical center.

General provisions, §§6-64-401 to 6-64-415.
See UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

Students.

Attendance.
Penalty for failure to record and report attendance, §6-64-215.
Record of attendance, §6-64-215.
Report of board on attendance, §6-64-215.

Taxation.

Legal education fund.
Bond issues.
Exemption from tax, §6-64-614.

Teachers.

Attendance.
Penalty for failure to record and report, §6-64-215.
Record of attendance, §6-64-215.
Report of board on attendance, §6-64-215.

Salaries, §6-64-210.

Technology institute.

Construction and improvement of property authorized, §6-64-805.
Contributions.
Acceptance, §6-64-804.
Course of study.
Offerings for courses, §6-64-802.
Establishment.
Authorized, §6-64-801.
Funds, §6-64-803.
Use of funds, §6-64-803.
Grants in aid, §6-64-804.

UNIVERSITY OF ARKANSAS

—Cont'd

Technology institute —Cont'd

Operation.
Authorized, §6-64-801.
Research contracts, §6-64-804.

Transportation.

Free transportation for certain officers, §6-64-105.
Research and education program.
Funding, §6-64-1010.

Truck branch experiment station.

Fruit and truck branch. See within this heading, "Agricultural experiment stations."

United States.

Agricultural experiment stations.
Bureau of research and statistics.
Collaboration with United States bureau, §6-64-714.
Contracts with United States, §6-64-713.
Federal land grant of 1862.
Acceptance, §6-60-101.
Conditions imposed by grant.
Acceptance of conditions, §6-60-101.

Warrants for the payment of money.

Board of trustees.
Nepotism.
Liability for drawing warrants in favor of relatives, §6-64-214.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK.**College of information science and engineering, §§6-64-1101 to 6-64-1103.**

Creation, §6-64-1102.
Funding, §6-64-1102.
Legislative findings, §6-64-1101.

Department of criminal justice.

Police corps program.
Administration, §§6-82-1204 to 6-82-1206.

Established, §6-64-301.**Operation, §6-64-301.****Research, education and technical extension.**

Little Rock graduate center, §6-64-902.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.**Admissions, §6-64-406.**

Allocation by congressional districts, state at-large and nonresidents.
Selection, §6-64-406.
Medical admissions board, §6-64-405.
Appointment of members, §6-64-405.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd**

Admissions —Cont'd

Medical admissions board —Cont'd

Compensation of members,
§6-64-405.

Composition, §6-64-405.

Number of members, §6-64-405.

Rules and regulations, §6-64-405.

Publication of policies and procedures,
§6-64-406.

Transfer students.

Criteria for considering and
approving, §6-64-407.

**Alcoholism and drug abuse
prevention.**

Chair on, §6-64-412.

Allowances.

Special allowances, §6-64-413.

Alternates.

Community match loan, §6-81-717.

Rural medical practice loans,
§6-81-718.

Appeals.

Rural medical practice student loans
and scholarships.

Decisions of board, §6-81-714.

Applicability of laws, §6-64-415.

Board of trustees.

Control and management by board,
§6-64-402.

Cost of maintenance, §6-64-408.

**Family practice department,
§6-64-409.**

Fees.

Collection and disposition, §6-64-408.

Tuition and matriculation, §6-64-408.

**Maintenance as part of university,
§6-64-401.**

Cost of maintenance, §6-64-403.

Name, §6-64-401.

**North central area health education
center.**

Establishment, §6-64-416.

**Recruitment of faculty and staff
members.**

Special allowances, §6-64-413.

Reports.

Progress reports on programs,
§6-64-413.

**Rural medical practice student
loans and scholarships.**

Amount of loans.

Maximum amount, §6-81-707.

Appeals, §6-81-714.

Applications.

Investigation, §6-81-704.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd**

**Rural medical practice student
loans and scholarships —Cont'd**

Applications —Cont'd

Qualifications of students,
§6-81-703.

Board.

Compensation, §6-81-702.

Composition, §6-81-702.

Duties, §6-81-702.

Established, §6-81-702.

Powers, §6-81-702.

Reports.

Contents, §6-81-711.

Distribution, §6-81-711.

Travel expenses, §6-81-702.

**Community match loan and
scholarship program.**

Conditions, §6-81-716.

Contract, §§6-81-715, 6-81-716.

Damages, §6-81-710.

Initial and renewal loans, §6-81-715.

Medical school alternates, §6-81-717.

Obligations, §6-81-716.

Tracking loan contract compliance,
§6-81-719.

Contracts.

Loan contracts, §6-81-708.

Minority.

Disability removed, §6-81-709.

Damages.

Funding of loans, §6-81-710.

Definitions, §6-81-701.

Funding of loans, §6-81-710.

Initial loans.

Requirements, §6-81-706.

**Investigation after application,
§6-81-704.**

Legislative declaration.

Purpose of loans, §6-81-705.

Maximum amount of loans, §6-81-707.

Medical school alternates, §6-81-718.

Minors.

Disability of minority removed,
§6-81-709.

Obligations and conditions, §6-81-708.

**Payment for loans drawn against
funds held in trust, §6-81-710.**

**Publication of policies and procedures,
§6-64-406.**

Purpose of loans, §6-81-705.

Qualifications of students, §6-81-703.

Renewal loans.

Requirements, §6-81-706.

Trust funds.

Payment for loans drawn against
funds held in trust, §6-81-710.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd****Scholarships**, §6-64-408.**Special allowances**, §6-64-413.**State medical center.**

Legislative declaration, §6-64-501.

Medical indigents.

Billings to patients, §6-64-508.

Certification procedure, §6-64-504.

Collections from patients, §6-64-508.

Determination of status, §6-64-503.

Other patients.

Admission not affected by
provisions, §6-64-502.Quota of patients from counties and
municipalities, §§6-64-505 to
6-64-507.

Status as.

Determination, §6-64-503.

Paying patients, §6-64-509.

Admissions, §§6-64-502, 6-64-509.

Policies.Review and development of policies
and practices, §6-64-404.

Purpose of provisions, §6-64-501.

Quota of patients from counties and
municipalities, §6-64-505.

Failure to pay.

Withholding state funds,
§6-64-507.Patients not charged against quotas,
§6-64-506.Statement mailed to county or
municipality, §6-64-507.Review and development of policies
and practices, §6-64-404.**Students.**

Applicability of laws, §6-64-415.

Tuition.

Fees, §6-64-408.

**UNIVERSITY OF CENTRAL
ARKANSAS.****Accounts and accounting.**

Board of trustees, §6-67-111.

Appeals.

Board of trustees.

Removal of members, §6-67-102.

Board of trustees.

Accounts and accounting, §6-67-111.

Appeals.

Removal of members, §6-67-102.

Appointment of members, §6-67-102.

Composition, §6-67-102.

Course of study.

Prescribing, §6-67-105.

Creation, §6-67-102.

Duties, §6-67-103.

**UNIVERSITY OF CENTRAL
ARKANSAS —Cont'd****Board of trustees —Cont'd**

Expenditures.

Limitation, §6-67-112.

Expenses of members, §6-67-102.

Funds.

Duties of treasurer of state,
§6-67-111.

Number of members, §6-67-102.

Oath of office, §6-67-102.

Officers, §6-67-102.

Powers, §6-67-103.

Property.

Powers as to, §6-67-103.

Qualifications of members, §6-67-102.

Quorum, §6-67-102.

Removal of members, §6-67-102.

Reports.

Biennial report to general assembly,
§6-67-114.

Rules and regulations, §6-67-103.

Model school, §6-67-106.

Terms of members, §6-67-102.

Vacancies, §6-67-102.

Courses of study, §6-67-105.**Employees.**

Payroll deductions.

University of Central Arkansas
Foundation, Inc.

Contributions to, §6-67-113.

Established, §6-67-101.**Expenditures.**

Limitation.

Duty of board of trustees, §6-67-112.

Federal aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Foundation.

Contributions to.

Payroll deductions, §6-67-113.

Funds.

Board of trustees.

Duties of treasurer of state,
§6-67-111.**Instructors.**

Selection, §6-67-107.

Model school, §6-67-106.**Oaths.**

Board of trustees.

Oath of office, §6-67-102.

Penalties.

Board of trustees.

Oath of office.

Violation of oath, §6-67-102.

Property.

Board of trustees.

Powers as to property, §6-67-102.

UNIVERSITY OF CENTRAL ARKANSAS —Cont'd

Pupils.

Selection, §6-67-107.

Purpose, §6-67-101.

Reports.

Board of trustees.

Biennial report to general assembly,
§6-67-114.

Rules and regulations.

Board of trustees, §6-67-103.

Model school, §6-67-106.

State aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Treasurer of state.

Funds.

Duties, §6-67-111.

V

VETERANS.

Universities and colleges.

Tuition.

Children of certain veterans having
served between September 16,
1940 and December 31, 1946,
§6-82-602.

World War I veterans, §6-60-206.

World War II veterans, §6-82-602.

World War I.

Universities and colleges.

Free tuition, §6-60-206.

World War II.

Universities and colleges.

Tuition, §6-82-602.

VETERINARIANS.

Tuition assistance for residents

attending out of state veterinary
schools, §6-81-1101.

VETERINARY MEDICAL SCHOOLS.

Tuition assistance for residents

attending out of state schools,
§6-81-1101.

VOCATIONAL EDUCATION AND REHABILITATION.

Accounts and accounting.

Acceptance of benefits of congressional
act.

Statement of finances of board of
education, §6-51-214.

Board of education.

Statement of finances, §6-51-214.

Accreditation.

Postsecondary vocational and technical
education.

Reorganization act of 1991.

Interim accreditation, §6-53-209.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Admissions.

Required admission for certain
students, §6-51-103.

Appraisals and appraisers.

Housing construction program,
§6-51-507.

Apprenticeship training program, §6-52-201.

Allocation of state funds, §6-52-207.

Applicability of subchapter, §6-52-202.

Apprenticeship coordination steering
committee.

Appointment, §6-52-204.

Construction industry craft training
program, §§6-55-101 to 6-55-108.

Planning duties as to, §6-55-104.

Program plan, §6-55-105.

Public policy, §6-55-102.

Rules and regulations, §6-55-108.

Title of act, §6-55-101.

Trust fund, §§6-55-105 to 6-55-107.

Cosponsorship, §6-52-207.

Director, §6-52-207.

Duties, §6-52-205.

Duties of sponsors, §6-52-208.

Fees, §6-52-207.

Qualifications of members, §6-52-204.

Recommendations, §6-52-206.

Rules and regulations, §6-52-203.

Sponsors.

Cosponsorship, §6-52-207.

Duties, §6-52-208.

Terms of office, §6-52-204.

Appropriations.

Acceptance of benefits of congressional
act, §6-51-211.

Accounts and accounting.

Statement of finances, §6-51-214.

Assistants appointed by
commissioner of education,
§6-51-213.

Board of education.

Designation to administer federal
and state acts, §6-51-213.

Disbursement, §6-51-212.

Records.

Keeping at capitol, §6-51-213.

Reports.

Annual report of board of
education, §6-51-214.

State treasurer as custodian of
funds, §6-51-212.

Housing construction program.

Exclusive uses of funds appropriated
and received, §6-51-509.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Area vocational-technical and adult education schools.****Branches.**

Establishment in public schools,
§6-51-204.

Determination of location of schools,
§6-51-203.

Equipment, §6-51-205.

Establishment authorized, §6-51-202.

Gifts.

State board to accept gifts and
donations, §6-51-207.

Local boards.

Sale, conveyance or lease of
unneeded lands, §6-51-206.

Location.

Determination, §6-51-203.

Operation.

Responsibility of board, §6-51-205.

Personnel, §6-51-205.

Priority, §§6-51-104, 6-51-105.

Public schools.

Establishment of branches or special
instruction and training in
public schools, §6-51-204.

State board.

Establishment of schools authorized,
§6-51-202.

Gifts and donations.

Power to accept, §6-51-207.

Operation.

Responsibility of state board,
§6-51-205.

Receipt and administration of
federal funds, §6-51-201.

Sale, conveyance or lease of
unneeded lands, §6-51-206.

Arkansas industry training program.**Existing industries.**

Training of workers in, §6-50-102.

Auctions and auctioneers.

Housing construction program,
§6-51-507.

Bids.

Housing construction program,
§6-51-507.

Blind persons.

Postsecondary vocational and technical
education.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Board of education.**Accounts and accounting.**

Statement of finances, §6-51-214.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Board of education —Cont'd**

Administration of federal and state
acts, §6-51-213.

Reports, §6-51-214.

State board of vocational education.

See within this heading, "State
board of vocational education."

Bond issues.

Buildings, §6-51-216.

Buildings and facilities.

Authority of state board of vocational
education to acquire, §6-51-216.

Bond issues.

Indebtedness obligation of board and
school, not of state, §6-51-216.

Issuance, §6-51-216.

Laws governing bonds, §6-51-216.

Obligation of board and school, not
state, §6-51-216.

Laws governing bonds, §6-51-216.

State board of vocational education.

Authority to acquire, §6-51-216.

Capital outlays.

Postsecondary vocational and technical
education.

Reorganization act of 1991,
§6-53-207.

College transfer programs.

Postsecondary vocational and technical
education.

Approval of programs, §6-53-205.

Community-based education centers.**Advisory council.**

Creation, §6-51-805.

Approval of center.

Criteria, §6-51-801.

Board of host school.**Advisory council.**

Creation of general advisory
council, §6-51-805.

Ownership of property, §6-51-804.

Board of school superintendents,
§6-51-804.

Capital equipment.

Ownership, §6-51-804.

Criteria.

Establishment, §6-51-801.

Periodic review and revision,
§6-51-801.

Satisfaction.

Approval of center, §6-51-801.

Funding, §6-51-803.

Local education agencies.

Centers declared to meet definition
of, §6-51-806.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Community-based education centers —Cont'd**

- Policies, §6-51-802.
- Property ownership, §6-51-804.
- State board of vocational education.
 - Criteria for centers.
 - Powers and duties, §6-51-801.
 - Policies for centers.
 - Established by board, §6-51-802.

Construction industry craft training, §§6-55-101 to 6-55-107.

See CONSTRUCTION INDUSTRY CRAFT TRAINING.

Contracts.

- Postsecondary vocational and technical education.
 - Local board of directors.
 - Contractual authority, §6-51-904.
- Private organizations, §6-50-101.

Definitions.

- Apprenticeship training program, §6-52-201.
- Postsecondary vocational and technical education.
 - Reorganization act of 1991, §6-53-103.
 - Tech-prep education, §6-53-501.

Equipment pools.

- Postsecondary vocational and technical education.
 - Reorganization act of 1991, §6-53-206.

Existing industries.

- Training of workers in, §6-50-102.

Existing workforce training act, §§6-50-701 to 6-50-705.

See EXISTING WORKFORCE TRAINING ACT.

Eye protection, §6-51-102.**Fees.**

- Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.
- Student fees, §6-51-208.
- Disposition of income, §6-51-210.

Funds.

- Housing construction program.
 - Building trades revolving fund.
 - Creation, §6-51-501.
 - Disbursing officer.
 - Designation, §6-51-510.
 - Sale of units.
 - Deposit of sale money in fund, §6-51-508.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Gifts.**

- Area vocational-technical and adult education schools.
 - Acceptance of gifts and donations, §6-51-207.

Housing construction program.

- Appraisal, §6-51-507.
- Appropriations.
 - Exclusive uses of funds appropriated and received, §6-51-509.

Auctions.

- Notice, §6-51-507.
- Bids, §6-51-507.
- Rejection and subsequent auction, §6-51-507.

Building trades advisory committee.

- Approval required, §6-51-502.

Building trades revolving fund.

- Disbursing officer.
 - Designation, §6-51-510.

Sale of units.

- Deposit of money in fund, §6-51-508.

Conformity of unit to local and state requirements and restrictions, §6-51-506.

Established, §6-51-501.

Funds.

- Advance of funds upon approval of building trades advisory committee, §6-51-502.

Local and state requirements and restrictions.

- Conformity of unit to local and state requirements and restrictions, §6-51-506.

One dwelling unit annually, §6-51-504.**One dwelling unit at a time, §6-51-504.****Purchases.**

- Considerations, §6-51-503.
- Disposition of offers, §6-51-503.
- Published notice of proposed purchase, §6-51-503.
- State purchasing law and regulations to be followed, §6-51-505.

Sales.

- Deposit of money in building trades revolving fund, §6-51-508.
- State purchasing law and regulations to be followed, §6-51-505.

Illiteracy.

- Combating illiteracy.
 - Priority, §§6-51-104, 6-51-105.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Illiteracy —Cont'd**

Postsecondary vocational and technical education.

Reorganization act of 1991.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Industrial training in workplace.

Priority, §§6-51-104, 6-51-105.

Insurance.

Accident insurance for students, §6-51-209.

Licenses.

Motor vehicles used by schools exempt from license fees, §6-51-101.

Motor vehicles.

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

Multidistrict vocational centers.

Approval of establishment, §6-51-302.

Center council, §6-51-304.

Duties, §6-51-304.

Establishment.

Approval, §6-51-302.

Financing, §6-51-305.

Proposed new centers, §6-51-301.

Request for proposed new center, §6-51-301.

State aid, §6-51-305.

State board.

Administration, §6-51-303.

Approval of establishment, §6-51-302.

Notice.

Housing construction program.

Auction notice, §6-51-507.

Published notice of proposed purchases, §6-51-503.

Nurses.

Associate of applied science degree.

Establishment of program, §6-51-701.

Granting, §6-51-703.

Nature of program, §6-51-702.

Ouachita technical college, Malvern,

§§6-54-101 to 6-54-105.

See OUACHITA TECHNICAL COLLEGE, MALVERN.

Plumbing program.

Apprentices, §6-51-403.

Course of instruction.

Generally, §6-51-401.

Instructors, §6-51-402.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Plumbing program —Cont'd**

Instructors, §6-51-402.

Licensing, §6-51-404.

State board.

Establishment of programs, §6-51-401.

Postsecondary vocational and technical education, §§6-51-901 to 6-51-907.

Accountability measures, §6-51-902.

Accreditation.

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Board of directors. See within this subheading, "Local board of directors."

Capital outlays.

Reorganization act of 1991, §6-53-207.

College transfer courses, §6-51-907.

College transfer programs, §6-53-205.

Comprehensive lifelong learning centers.

Generally, §6-51-906.

Declaration of purpose, §6-51-901.

Definitions.

Tech-prep education, §6-53-501.

Equipment pools.

Reorganization act of 1991, §6-53-206.

Expanded associate degrees.

Instruction, §6-51-907.

Housing allowance for college president, §6-61-525.

Local board of directors.

Appointment of members, §6-51-903.

Contractual authority, §6-51-904.

Duties, §6-51-904.

Governing authority, §6-51-903.

Powers, §6-51-904.

Qualifications of members, §6-51-903.

Rulemaking authority, §6-51-904.

Terms of members, §6-51-903.

Successors filling vacancies, §6-51-903.

Vacancies on board.

Filling, §6-51-903.

Performance indicators, §6-51-902.

Presidents of institutions, §6-53-303.

Housing allowance, §6-61-525.

Purpose of subchapter, §6-51-901.

Reorganization act of 1991.

Accreditation.

Interim accreditation, §6-53-209.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Postsecondary vocational and technical education —Cont'd

Reorganization act of 1991 —Cont'd

Administration of courses, programs and institutions.

College transfer programs,
§6-53-205.

Generally, §6-53-201.

Interim governance, §6-53-209.

Blind vendors who are licenses,
§6-53-106.

Capital outlays, §6-53-207.

College transfer programs.

Approval, §6-53-205.

Conversions and consolidations.

Community colleges.

Acceptance of technical college
as branch campus of
community college,
§6-53-404.

Conversion of technical colleges
to community colleges,
§6-53-403.

Consolidation procedure,
§6-53-405.

Coordination with institutional
boards of trustees, §6-53-401.

Effect on employees and directors,
§6-53-107.

Technical colleges.

Acceptance as branch campus of
community college,
§6-53-404.

Conversion of two-year branches
to technical colleges,
§6-53-402.

Conversion to community
colleges, §6-53-403.

Two-year branches.

Conversion to technical colleges,
§6-53-402.

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

Definitions, §6-53-103.

Effect of chapter on existing law,
§6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding,
§6-53-105.

Interim accreditation and
governance, §6-53-209.

Purpose of chapter, §6-53-102.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Postsecondary vocational and technical education —Cont'd

Reorganization act of 1991 —Cont'd

State board of higher education.

Duties.

Generally, §6-53-203.

Powers.

Generally, §6-53-203.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of agency to receive,
§6-53-505.

Generally, §6-53-501.

Grants for tech-prep education,
§6-53-502.

Applications, §6-53-503.

Approval of application, factors
considered, §6-53-504.

Title of chapter, §6-53-101.

Transfers to system after July 1,
1991, §6-53-210.

Student transportation, §6-53-305.

Student tuition and fees, §6-53-304.

Technical colleges.

Acceptance as branch campus of
community college, §6-53-404.

Bond issues for capital
improvements generally,
§§6-61-1001 to 6-61-1014.

See **TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.**

Coordination with secondary
vocational-technical education
and literacy programs,
§6-53-306.

County support, §6-53-307.

Designated part of system,
§6-53-301.

Institutions designated, §6-53-301.

Local board administration,
§§6-53-301, 6-53-302.

Ouachita technical college,
Malverne, §§6-54-101 to
6-54-105.

See **OUACHITA TECHNICAL
COLLEGE, MALVERN.**

Presidents of institutions, §6-53-303.

Technical college districts,
§§6-53-601 to 6-53-605.

See **TECHNICAL COLLEGE
DISTRICTS.**

Transportation system for student,
§6-53-305.

Tuition and fees, §6-53-304.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Postsecondary vocational and technical education —Cont'd**

Technical institutes.

Generally, §6-51-905.

Property.

Sale of real or personal property.

Disposition of income from,
§6-51-210.

Publication.

Housing construction program.

Purchases.

Notice of proposed purchases,
§6-51-503.

Purchases.

Housing construction program.

Considerations, §6-51-503.

State purchasing law and
regulations to be followed,
§6-51-505.

Records.

Appropriations.

Acceptance of benefits of
congressional act.

Keeping at capitol, §6-51-213.

Registration.

Motor vehicles used for school
purposes, §6-51-101.

Rehabilitation services division of department of education,

§§6-52-101 to 6-52-105.

Americans with disabilities act.

Accessibility guidelines for office
facilities, §6-52-105.

Duties, §6-52-103.

Office facilities.

Accessibility, §6-52-105.

Powers, §6-52-103.

Retirement systems eligibility of
employees, §6-52-104.

Scope of authority, §6-52-102.

State board of vocational and technical
education.

Authority of division administered
under direction of board,
§6-52-102.

Services provided through
rehabilitation services division,
§6-52-103.

Transfer of statutory authority,
powers, duties, etc., generally,
§6-52-102.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505. See
within this heading,
"Postsecondary vocational and
technical education."

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Reports.**

Acceptance of benefits of congressional
act.

Board of education's report,
§6-51-214.

Board of education, §6-51-214.

Rules and regulations.

Apprenticeship training program,
§6-52-203.

Postsecondary vocational and technical
education.

Local board of directors.

Rulemaking authority, §6-51-904.

Sales.

Housing construction program.

Disposition of proceeds, §6-51-508.

School districts.

Cooperation of various boards in
establishing, §6-51-215.

Taxation.

Use of funds raised by taxation,
§6-51-215.

Schools.

Area schools. See within this heading,
"Area vocational-technical and
adult education schools."

Change of name to "technical
institute," §6-51-217.

Priority, §§6-51-104, 6-51-105.

State board of vocational education.

Area vocational-technical and adult
education schools.

Establishment of schools authorized,
§6-51-202.

Gifts and donations.

Power to accept, §6-51-207.

Operation.

Responsibility of state board,
§6-51-205.

Receipt and administration of
federal funds, §6-51-201.

Buildings and facilities.

Authority of board to acquire and
maintain, §6-51-216.

Community-based education centers.

Criteria for centers.

Powers and duties, §6-51-801.

Policies for centers.

Established by board, §6-51-802.

Multidistrict vocational centers.

Administration, §6-51-303.

Plumbing program.

Establishment of programs,
§6-51-401.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

State board of workforce education and career opportunities.

Rehabilitation services division of department of education.

Authority of division administered under direction of board, §6-52-102.

Services provided through rehabilitation services division, §6-52-103.

Technical careers student loan forgiveness program.

Administration of program, §6-50-203.

Approval of educational program, §6-50-205.

Certification of eligible persons, §6-50-206.

Powers, §6-50-203.

Youth apprenticeships/work-based learning program.

Duties of board, §6-50-505.

Student loans.

Technical careers student loan forgiveness program, §§6-50-201 to 6-50-208.

See TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM.

Student organizations.

Reimbursement for participation, §6-50-103.

System reorganization.

Postsecondary vocational and technical education.

Reorganization act of 1991. See within this heading, "Postsecondary vocational and technical education."

Taxation.

Motor vehicles used by schools exempt from taxes, §6-51-101.

School districts.

Use of funds raised by taxation, §6-51-215.

Technical careers student loan forgiveness program, §§6-50-201 to 6-50-208.

See TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM.

Technical colleges.

Generally, §§6-53-301 to 6-53-307. See within this heading, "Postsecondary vocational and technical education."

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Technical colleges —Cont'd

Ouachita technical college, Malverne, §§6-54-101 to 6-54-105.

See OUACHITA TECHNICAL COLLEGE, MALVERN.

Technical college districts, §§6-53-601 to 6-53-605.

See TECHNICAL COLLEGE DISTRICTS.

Technical institutes.

Area vocational-technical and adult education schools. See within this heading, "Area vocational-technical and adult education schools."

Change of names of schools to, §6-51-217.

Postsecondary vocational and technical education.

Generally, §6-51-905.

Training.

Existing workforce training act, §§6-50-701 to 6-50-705.

See EXISTING WORKFORCE TRAINING ACT.

Universities and colleges.

Postsecondary vocational and technical education.

Generally, §§6-51-901 to 6-51-907.

See within this heading, "Postsecondary vocational and technical education."

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505.

See within this heading, "Postsecondary vocational and technical education."

Vocational student organizations.

Reimbursement for student participation in, §6-50-103.

Youth apprenticeship/work-based learning program.

Articulation of agreements, §6-50-505.

Citation of subchapter, §6-50-501.

Demonstration programs, §6-50-504.

Establishment, §6-50-503.

Findings of general assembly, §6-50-501.

Funding for demonstration programs, §6-50-504.

Industries and occupations.

Selected for program, §6-50-503.

Legislative findings, §6-50-502.

Principles, §6-50-503.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Youth apprenticeship/work-based learning program —Cont'd**

State board of workforce education and career opportunities.

Duties of board, §6-50-505.

Title of subchapter, §6-50-501.

Waiver of regulation, §6-50-505.

W**WAIVER.****Universities and colleges.**

Fees.

Aged persons.

General student fee charges

waived for persons over sixty,
§6-60-204.

WARRANTS FOR THE PAYMENT OF MONEY.**Henderson State University.**

Board of trustees.

Issuance of warrants by auditor,
§6-66-110.

Universities and colleges.

Improvement districts.

Assessments.

Collection of assessments,
§6-71-116.

University of Arkansas.

Board of trustees.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.

WATER SUPPLY AND WATERWORKS.**Universities and colleges.**

Sale of water by state institutions of
higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

WESTARK COMMUNITY COLLEGE.**Employment models.**

Utilization, §6-61-1106.

Model programs, §6-61-1105.**President.**

Housing allowance, §6-61-525.

Sports programs.

Participation in intercollegiate athletic
programs, §6-61-1108.

WORKERS' COMPENSATION.

**Universities and colleges, §§6-62-1001
to 6-62-1004.**

WORKFORCE EDUCATION.

**Arkansas workforce improvement
grant program, §§6-82-1601 to
6-82-1614.**

See **UNIVERSITIES AND
COLLEGES.**

WORLD WAR I.**Veterans.**

Universities and colleges.

Free tuition, §6-60-206.

WORLD WAR II.**Veterans.**

Universities and colleges.

Tuition, §6-82-602.

Index to Title 6

A

ACCOUNTS AND ACCOUNTING.

Deaf persons.

School for the deaf, §6-43-309.

Education.

Publicly funded educational institutions.

Reports by independent accountant, §6-1-101.

Revolving loan fund account.

See EDUCATION.

School lunch program.

Rules and regulations for keeping of accounts, §6-20-704.

Henderson State University.

Board of trustees, §6-66-110.

University of Arkansas.

Applicability of act.

Funds excepted from applicability, §6-64-1009.

Claims.

Allowance in payment to be listed, §6-64-1008.

Dealers.

Itemized account to be filed.

Affidavit attached, §6-64-1006.

Duplicate accounts to be filed, §6-64-1006.

Employees to file monthly accounts, §6-64-1005.

Funds excepted from applicability of act, §6-64-1009.

Itemizing statement for allowance and payment, §6-64-1007.

Penalties, §6-64-1001.

University of Central Arkansas.

Board of trustees, §6-67-111.

Vocational education and rehabilitation.

Acceptance of benefits of congressional act.

Statement of finances of board of education, §6-51-214.

Board of education.

Statement of finances, §6-51-214.

ACTIONS.

Education.

Safety patrols.

No liability for operation of safety patrol, §6-18-802.

ACTIONS —Cont'd

Education —Cont'd

School districts.

Defense of district in legal proceeding.

Costs and expenses, §6-13-623.

School worker defense program, §§6-17-1113, 6-17-1118.

Universities and colleges.

Improvement districts.

Liens.

Enforcement of lien.

See UNIVERSITIES AND COLLEGES.

ADULT EDUCATION.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

General provisions.

See EDUCATION.

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY.

Distance learning demonstration projects, §§6-47-201 to 6-47-305.

Coordination, §§6-47-201 to 6-47-203.

Elementary and secondary schools, §§6-47-201, 6-47-302.

Four-year colleges, §§6-47-202, 6-47-303.

Implementation, §§6-47-301 to 6-47-305.

Interagency review commission, §6-47-305.

Intergovernmental cooperation, §6-47-304.

Public policy, §6-47-301.

Reporting requirements, §6-47-203.

Two-year colleges, §§6-47-202, 6-47-303.

Distance learning development project, §§6-47-401 to 6-47-405.

Credit for students assigned, §6-47-404.

Definitions, §6-47-403.

Director, powers and duties, §6-47-404.

Established, §6-47-404.

Focus areas, §6-47-404.

ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY —Cont'd

Distance learning development project —Cont'd

Funding, §6-47-404.

Purpose, §6-47-402.

Rules and regulations, §6-47-405.

Title of provisions, §6-47-401.

ADVANCED PLACEMENT INCENTIVE PROGRAM.

Education, §§6-16-801 to 6-16-805.

See EDUCATION.

ADVERTISING.

Correspondence schools.

Advertising without registration,
§6-11-119.

Education.

Correspondence schools.

Advertising without registration,
§6-11-119.

School buses.

Competitive bids, §6-19-114.

Universities and colleges.

Private outside work using campus
facilities.

Publicity and advertising to show
institution and state not
contractually obligated,
§6-62-401.

AEROSPACE EDUCATION CENTER.

General provisions, §§6-46-201 to
6-46-203.

See EDUCATION.

AFFIDAVITS.

University of Arkansas.

Accounts and accounting.

Dealers to file itemized accounts,
§6-64-1006.

Attachment of affidavits,
§6-64-1006.

AFFIRMATIVE ACTION PROGRAMS.

Universities and colleges, §6-63-103.

AGE.

Education.

Maximum age of persons admitted to
public schools, §6-16-308.

Minimum age for enrollment in public
school or kindergarten, §6-18-207.

Students permitted to attend schools,
§6-18-202.

Kindergarten.

Minimum age for enrollment in public
school or kindergarten, §6-18-207.

AGED PERSONS.

Universities and colleges.

Fees.

Waiver of general student fee
charges, §6-60-204.

AGRICULTURAL COLLEGES.

Arkansas state university.

Generally, §§6-65-201 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY.

Arkansas state university-Beebe,

§§6-65-217 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY-BEEBE.

Arkansas Tech university.

Generally, §§6-65-301 to 6-65-305.

See ARKANSAS TECH
UNIVERSITY.

Districts.

Division of state into districts,
§6-65-101.

Schools.

Admissions, §6-65-105.

Boards of trustees.

Course of study provided by
trustees, §§6-65-102, 6-65-103.

Nepotism, §6-65-107.

Cooperation on research and
publications, §6-65-109.

Faculty, §§6-65-104, 6-65-107,
6-65-108.

Labor.

Student to perform labor about
school, §6-65-106.

Publication and research.

Cooperation, §6-65-109.

Rental of unused facilities.

Authorized, §6-65-111.

Reports.

Contents, §6-65-112.

Same educational status, §6-65-102.

Students.

Perform labor about school,
§6-65-106.

Subjects taught, §6-65-102.

Tuition, §6-65-105.

Unused facilities.

Rental.

Authorized, §6-65-111.

Status.

Same educational status in all four
districts, §6-65-102.

Engineering management college.

Arkansas state university at

Jonesboro, §§6-65-206, 6-65-207.

Southern Arkansas university.

Generally, §§6-65-401 to 6-65-410.

See SOUTHERN ARKANSAS
UNIVERSITY.

AGRICULTURAL EXPERIMENT STATIONS.

University of Arkansas, §§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

AGRICULTURE.**Agricultural experiment stations.**

General provisions, §§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

4-H programs.

Equal treatment for 4-H member students, §6-18-220.

Excused school absences, §6-18-220.

Future Farmers of America.

Compulsory attendance.

Excused absences for participation in official FFA program, §6-18-220.

Education.

Compulsory attendance.

Equal treatment for FFA member students, §6-18-220.

University of Arkansas.

Experiment stations, §§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

Vocational education and rehabilitation.

Contracts with vocational agriculture teachers to be on twelve month basis, §6-17-802.

AIDING AND ABETTING.**Hazing.**

Prohibited, §6-5-202.

ALCOHOLIC BEVERAGES.**Corporations.**

Educational institutions.

Sales prohibited, §6-2-113.

Education.

Sales to educational institutions.

Prohibited, §6-2-113.

University of Arkansas for medical sciences.

Medical department.

Chair on alcoholism and drug abuse prevention, §6-64-412.

A-LIFT PROGRAM.

Teacher development, §6-1-202.

AMERICAN HERITAGE EDUCATION.

Posting of historical documents in public schools, §6-16-122.

AMERICAN SIGN LANGUAGE.**Universities and colleges.**

Qualification as foreign language, §6-61-125.

ANATOMICAL GIFTS.**Education.**

Organ donor awareness education, §6-16-501.

ANNEXATION.**Education.**

Quality education act.

Annexation or consolidation of noncomplying districts generally, §§6-15-201 to 6-15-209.

See EDUCATION.

School districts.

See EDUCATION.

APPEALS.**Agricultural colleges.**

Arkansas polytechnic college.

Board of trustees.

Removal of members, §6-65-301.

Arkansas state university.

Board of trustees.

Removal of members, §6-65-201.

Southern Arkansas University.

Board of trustees.

Removal of members, §6-65-401.

Eminent domain, §6-65-403.

Education.

Annexation and consolidation.

School districts.

Appeal of adverse decision, §6-13-1410.

Comprehensive, testing, assessment and accountability program.

Academic distress school classification, §6-15-428.

County boards of education.

Final orders or decisions, §6-12-307.

Elections.

School elections, §6-14-115.

Handicapped children.

Hearings on child's status, §6-41-216.

School districts.

Quality education act.

Appeal process for failure to meet standards, §6-15-202.

Schoolhouses.

Self-insurance.

Cancellation of insurance, §6-20-1506.

Suspension or expulsion of students, §6-18-507.

Henderson state university.

Board of trustees.

Removal of members, §6-66-101.

Eminent domain.

Attorney general to handle, §6-66-112.

APPEALS —Cont'd**Residence and correspondence schools.**

Denial or suspension of admissions representative's license, §6-51-615.

Penalties, §6-51-618.

Teachers.

Dismissal, §6-17-1510.

Universities and colleges.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

University of Central Arkansas.

Board of trustees.

Removal of members, §6-67-102.

APPRAISALS AND APPRAISERS.**Universities and colleges.**

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Vocational education and rehabilitation.

Housing construction program, §6-51-507.

APPRENTICES.**Apprenticeship training program,**

§§6-52-201 to 6-52-208.

See VOCATIONAL EDUCATION AND REHABILITATION.

APPROPRIATIONS.**Agricultural colleges.**

Southern Arkansas university, §6-65-408.

Arkansas workforce improvement grant program, §6-82-1614.**Education.**

Exceptional children, §6-41-307.

Universities and colleges.

Transfer of appropriations, §6-62-104.

University of Arkansas.

Agricultural experiment stations.

County appropriations, §6-64-704.

Application of funds for specified purposes only, §6-64-1002.

University of Arkansas at Little Rock.

College of information science and engineering, §6-64-1102.

Vocational education and rehabilitation.

Acceptance of benefits of congressional act, §6-51-211.

Accounts and accounting.

Statement of finances, §6-51-214.

Assistants appointed by commissioner of education, §6-51-213.

APPROPRIATIONS —Cont'd**Vocational education and rehabilitation —Cont'd**

Acceptance of benefits of congressional act —Cont'd

Board of education.

Designation to administer federal and state acts, §6-51-213.

Disbursement, §6-51-212.

Records.

Keeping at capitol, §6-51-213.

Reports.

Annual report of board of education, §6-51-214.

State treasurer as custodian of funds, §6-51-212.

Housing construction program.

Exclusive uses of funds appropriated and received, §6-51-509.

Workforce education and career opportunities, state board of.

Federal funds, §§6-11-205, 6-11-207.

ARBITRATION.**Residence and correspondence schools.**

Private career education arbitration panel, §6-51-617.

ARKANSAS AMERICAN COLLEGE TEST ASSIGNMENT ASSISTANCE PILOT PROGRAM ACT OF 1999, §§6-18-401 to 6-18-408.

See EDUCATION.

ARKANSAS CHARTER SCHOOLS ACT OF 1999.

See CHARTER SCHOOLS.

ARKANSAS CONSTRUCTION INDUSTRY CRAFT TRAINING ACT, §§6-55-102 to 6-55-108.

See CONSTRUCTION INDUSTRY CRAFT TRAINING.

ARKANSAS DELTA LEADERSHIP ACT OF 2001.

Teacher development, §6-1-202.

ARKANSAS EXISTING WORKFORCE TRAINING ACT, §§6-50-701 to 6-50-705.

See EXISTING WORKFORCE TRAINING ACT.

ARKANSAS GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM ACT OF 2001, §§6-82-1501 to 6-82-1506.

**ARKANSAS HEAVY EQUIPMENT
OPERATOR TRAINING**

ACADEMY, §§6-61-531 to 6-61-533.

Appropriated funds, §6-61-533.

Establishment, §6-61-531.

Funding, §6-61-533.

Hiring practices, §6-61-532.

Operation, §6-61-532.

**ARKANSAS INSTITUTION FOR
ADVOCACY FOR THE BLIND,**

§§6-61-115 to 6-61-117.

Board, §§6-61-116, 6-61-117.

Powers, §6-61-117.

Creation, §6-61-115.

Purpose, §6-61-118.

**ARKANSAS INSTITUTION FOR
ADVOCACY FOR THE DEAF,**

§§6-61-118 to 6-61-120.

Board, §§6-61-119, 6-61-120.

Powers, §6-61-120.

Creation, §6-61-118.

Purpose, §6-61-118.

**ARKANSAS LEADERSHIP
INSTITUTE FOR TEACHERS OF
THE DELTA.**

Professional development, §6-1-202.

**ARKANSAS NORTHEASTERN
COLLEGE**, §§6-59-101 to 6-59-111.

Board of directors, §6-59-103.

Catastrophic leave program.

Effect of merger, §6-59-106.

Certificate and diploma programs.

Effect of merger, §6-59-107.

Cotton boll technical institute.

Merger and name change, §6-59-102.

Curriculum.

Effect of merger, §6-59-107.

Definitions, §6-59-101.

Ex officio board of trustees,
§6-59-103.

Faculty and employees.

Effect of merger, §§6-59-104 to
6-59-106.

Health insurance plans.

Effect of merger, §6-59-104.

House construction programs,
§6-59-108.

Legal authority, §6-59-109.

**Mississippi county community
college.**

Merger and name change, §6-59-102.

Purchasing, §6-59-108.

Sick leave.

Effect of merger, §§6-59-105, 6-59-106.

Transfer of assets, §6-59-109.

Workforce 2000 development fund,
§6-59-110.

ARKANSAS STATE COLLEGE.

Successor institution, §§6-65-201 to
6-65-224.

See ARKANSAS STATE
UNIVERSITY.

ARKANSAS STATE UNIVERSITY.

Administrative functions.

Consolidation, §6-65-225.

Board of trustees.

Appointment of members, §6-65-201.

Composition, §6-65-201.

Creation, §6-65-201.

Duties, §6-65-202.

Expenses of members, §6-65-201.

Number of members, §6-65-201.

Oath of office, §6-65-201.

Powers, §6-65-202.

Removal of members, §6-65-201.

Vacancies, §6-65-201.

**Chancellors or directors of branch
campuses.**

Housing allowances, §6-65-226.

**Consolidation of administrative
functions**, §6-65-225.

Eminent domain, §6-65-203.

Appeals, §6-65-203.

Procedure, §6-65-203.

Engineering management college.

Jonesboro facility, §6-65-207.

Curriculum, schedule and structure,
§6-65-207.

Research and education program,
§6-65-206.

Federal aid.

Participation authorized, §6-65-205.

Vouchers.

Drawing by disbursing agent,
§6-65-204.

Housing allowances.

Chancellors of branch campuses,
§6-65-226.

Jonesboro facility.

Engineering management college.

Curriculum, schedule and structure,
§6-65-207.

Established, §6-65-207.

Research and educational program.

Conducting program, §6-65-206.

Established, §6-65-206.

State aid.

Participation authorized, §6-65-205.

**ARKANSAS STATE
UNIVERSITY-BEEBE**, §§6-65-217
to 6-65-224.

Admissions, §6-65-212.

Board of trustees.

Course of study prescribed by,
§6-65-210.

ARKANSAS STATE**UNIVERSITY-BEEBE —Cont'd****Board of trustees —Cont'd**

Powers, §6-65-208.

Cooperation with other agricultural schools, §6-65-215.**Course of study.**

Prescribed by trustees, §6-65-210.

District for school.

Counties comprising, §6-65-209.

Faculty, §6-65-211.**Fund, §6-65-216.****Rental of unused property, §6-65-214.****Staff, §6-65-211.****State technical institute.**

Admissions, §6-65-222.

Advanced placement, §6-65-222.

Chief administrative officer.

Responsibility for operation of institute, §6-65-221.

Courses of study and training, §6-65-220.

Establishment, §6-65-218.

Fees and charges, §6-65-223.

Legislative intent, §6-65-217.

Reporting requirements, §6-65-224.

Tuition, §6-65-223.

Tuition, §6-65-212.

State technical institute, §6-65-223.

Work about school performed by students, §6-65-213.

ARKANSAS STATE**UNIVERSITY-SEARCY, §§6-56-101 to 6-56-110.****Board of advisers, §6-56-103.****Catastrophic leave program.**

Former institute employees, §§6-56-105, 6-56-106.

Certificate and diploma programs.

Effect of merger, §6-56-107.

Curriculum.

Effect of merger, §6-56-107.

Definitions, §6-56-101.**Faculty and employees.**

Effect of merger of institute on employees, §§6-56-104 to 6-56-107.

Foothills technical institute.

Effective date of name change and merger, §6-56-102.

Health insurance plans.

Effect of merger, §6-56-104.

Legal authority, §6-56-109.**Purchasing.**

Conformity to procedures, §6-56-108.

Sick leave.

Former institute employees, §§6-56-105, 6-56-106.

ARKANSAS STATE**UNIVERSITY-SEARCY —Cont'd****Transfer of assets, §6-56-109.****Workforce 2000 funding, §6-56-110.****ARKANSAS TAX-DEFERRED****TUITION SAVINGS PROGRAM****ACT OF 1999, §§6-84-101 to 6-84-113.**

See TAX-DEFERRED TUITION SAVINGS PROGRAM.

ARKANSAS TECH UNIVERSITY,

§§6-57-101 to 6-57-104, 6-65-301 to 6-65-305.

Arkansas valley technical institute.

Name change and merger, §6-57-101.

Board of trustees, §6-57-101.

Appointment of members, §6-65-301.

Composition, §6-65-301.

Creation, §6-65-301.

Duties, §6-65-302.

Expenses of members, §6-65-301.

Number of members, §6-65-301.

Oath of office, §6-65-301.

Powers, §6-65-302.

Qualifications of members, §6-65-301.

Removal of members, §6-65-301.

Vacancies, §6-65-301.

Easements.

Authority to grant easements to lands, §6-65-305.

Proceeds.

Disposition, §6-65-305.

Faculty and employees.

Effect of merger on employees, §6-57-103.

Hot Springs branch, §6-65-303.**Legal authority, §6-57-102.****Mineral lands.**

Lease authorized, §6-65-304.

Proceedings, §6-65-304.

Sick leave.

Former institute employees, §6-57-103.

Transfer of assets, §6-57-102.**Workforce 2000 development fund, §6-57-104.****ARKANSAS VALLEY TECHNICAL INSTITUTE.****Merger and name change, §§6-57-101 to 6-57-104.****ARKANSAS WORKFORCE****IMPROVEMENT GRANT PROGRAM, §§6-82-1601 to 6-82-1614.**

See UNIVERSITIES AND COLLEGES.

ASSAULT.**Teachers.**

Sick leave.

Assault in course of employment,
§6-17-1209.**ASSESSMENTS.****Universities and colleges.**

Improvement districts.

See UNIVERSITIES AND
COLLEGES.**ATHLETIC CONTESTS.****Football.**University of Arkansas radio
broadcasts, §6-64-104.**Universities and colleges.**Athletic programs, §§6-62-801 to
6-62-807.See UNIVERSITIES AND
COLLEGES.**AT-RISK CHILDREN AND
FAMILIES.****Charter schools.**General provisions, §§6-23-101 to
6-23-601.

See CHARTER SCHOOLS.

Education.Committee on closing the achievement
gap in Arkansas.Personal education plans,
§6-15-1602.School performance report act,
§§6-15-1401, 6-15-1402.

Special needs students, §6-20-323.

ATTENDANCE.

See EDUCATION.

ATTORNEY GENERAL.**Henderson state university.**

Eminent domain.

Appeals handled by attorney
general, §6-66-112.**Universities and colleges.**

Eminent domain.

Legal representation of board of
trustees, §6-62-201.**ATTORNEYS AT LAW.****Education.**

School districts.

Legal counsel, §6-13-623.

Teachers.

Grievance.

Right to representation of choice,
§6-17-210.**ATTORNEYS AT LAW —Cont'd
University of Arkansas.**

Law school, §§6-64-601 to 6-64-621.

See UNIVERSITY OF ARKANSAS.

ATTORNEYS' FEES.**Education.**School worker defense program,
§6-17-1113.**AUCTIONS AND AUCTIONEERS.****Vocational education and
rehabilitation.**Housing construction program,
§6-51-507.**AUDITS AND AUDITORS.****Educational television.**

Annual audit, §6-3-110.

Appropriations.

Prerequisites to availability,
§6-3-110.

Revolving cash fund, §6-3-109.

Student loans, §6-81-130.

Guarantee foundation.

Annual audit, §6-81-206.

Teachers.

Salaries.

Audits of accounts, §6-17-913.

Salary equalization, §6-17-2106.

AUTHORITIES.**Student loans.**

See STUDENT LOANS.

B**BACKGROUND CHECKS.****Residence and correspondence
schools, §6-51-605.**

Admissions representatives, §6-51-609.

BANKS.**Education.**

Deposit of school funds, §6-20-222.

BASKETBALL.**University of Arkansas.**

Radio broadcasts, §6-64-104.

BIBLE.**Blind persons.**

School for the blind.

Presentation to pupils, §6-43-219.

BIDS AND BIDDING.**Education.**

Insurance.

Public school employees.

Life and disability insurance,
§6-17-1109.

BIDS AND BIDDING —Cont'd**Education —Cont'd**

School districts.

Purchases of commodities,
§6-21-304.Exemptions from bidding
requirements, §6-21-305.**School buses, §6-19-114.****Vocational education and
rehabilitation.**Housing construction program,
§6-51-507.**BLACK RIVER****VOCATIONAL-TECHNICAL
SCHOOL, POCAHONTAS.****Institution designated as technical
college, §6-53-301.****BLIND PERSONS.****Arkansas institution for advocacy
for the blind, §§6-61-115 to
6-61-117.****Bible.**

School for the blind.

Presentation to blind pupils,
§6-43-219.**Bonds, surety.**

School for the blind.

Steward, §6-43-209.

Superintendent, §6-43-103.

Clothing and traveling expenses.Payment from parents or county,
§§6-43-109, 6-43-110.**Community colleges.**

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Conflicts of interest.

School for the blind.

Board of trustees.

Materials and supplies, §6-43-206.

Employees.

Rules, §6-43-114.

Constitution of the United States.

School for the blind.

Copy of constitution presented to
blind pupils, §6-43-219.**Education.**

Admission.

Right of blind persons to admission,
§6-43-214.Arkansas institution for advocacy for
the blind, §§6-61-115 to 6-61-117.Bible presented to blind pupils,
§6-43-219.Clothing and traveling expenses,
§6-43-109.County charged when furnished by
state, §6-43-109.**BLIND PERSONS —Cont'd****Education —Cont'd**Clothing and traveling expenses
—Cont'dWarrants for the payment of money
presented to county treasurer,
§6-43-110.Application to payment of
auditor's warrants in favor of
counties, §6-43-110.

Disposition of warrants, §6-43-110.

Payment by county treasurer.

Indorsement when no funds,
§6-43-110.State treasurer to receive,
§6-43-110.Compulsory school attendance,
§6-43-105.Authority to send children outside
state where no facilities
available, §6-43-106.Employers or harborers of absentees
guilty.

Penalties, §6-43-105.

Enforcement of act.

Prosecuting attorneys and school
attendance officers to enforce,
§6-43-105.

Exemption, §6-43-105.

One week's absence an offense,
§6-43-105.

Traveling time, §6-43-105.

Funeral expenses, §6-43-110.

Graduates.

Aid to graduates, §6-43-218.

Need as basis for aid, §6-43-218.

Penalty, §6-43-105.

Removal of pupils.

Expenses, §6-43-108.

Residence.

Certificate to accompany application
for admission, §6-43-107.School for the blind, §§6-43-201 to
6-43-223. See within this heading,
"School for the blind."Teachers for visually impaired
entering state service, §6-17-809.

Unavailability of facilities.

Authority to send children outside
state, §6-43-106.

United States constitution.

Copy presented to blind pupils,
§6-43-219.**Educational services for visually
impaired, §§6-41-401 to 6-41-406.**

See EDUCATION.

**Institution for advocacy for the
blind, §§6-61-115 to 6-61-117.**

BLIND PERSONS —Cont'd**Penalties.**

Education.

Compulsory school attendance,
§6-43-105.

Employers or harborers of
absentees guilty, §6-43-105.

Prosecuting attorneys.

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Records.

School for the blind.

Purchasing agent, §6-43-220.

Reports.

School for the blind, §6-43-221.

Publication of reports, §6-43-223.

Rules and regulations.

School for the blind.

Board of trustees, §6-43-203.

School for the blind.

Admission.

Certificate of residence to
accompany application,
§6-43-107.

Right of blind persons to admission,
§6-43-214.

Allowances.

Records, §6-43-222.

Articles made by students.

Disposition of funds from sale of,
§6-43-217.

Bible.

Presentation to blind pupils,
§6-43-219.

Board of trustees.

Account of proceedings, §6-43-202.

Appointment of members, §6-43-101.

Building expenditures.

Recommendation by board
required, §6-43-207.

Compensation of members,
§6-43-101.

Composition, §6-43-101.

Conflicts of interest.

Materials and supplies, §6-43-206.

Creation, §6-43-101.

Duties, §6-43-102.

Eligibility.

Persons not eligible, §6-43-201.

Expulsions.

Power, §6-43-215.

General control of property and
institutional affairs, §6-43-204.

Meetings, §6-43-101.

Account of proceedings, §6-43-202.

Number of members, §6-43-101.

Oath of office, §6-43-101.

BLIND PERSONS —Cont'd**School for the blind —Cont'd**

Board of trustees —Cont'd

Powers, §6-43-102.

Qualifications of members,
§6-43-101.

Removal of members, §6-43-101.

Rules and regulations, §6-43-203.

Terms of members, §6-43-101.

Vacancies, §6-43-101.

Bonds, surety.

Steward, §6-43-209.

Braille copies of Bible and United
States Constitution presented
upon discharge, §6-43-219.

Buildings.

Expenditures.

Recommendation by board of
trustees required, §6-43-207.

Clothing and traveling expenses,
§6-43-109.

Collection from parents or county,
§6-43-109.

County charged when furnished by
state, §6-43-109.

Warrants for the payment of money
presented to county treasurer
for payment, §6-43-110.

Application to payment of
auditor's warrants in favor of
counties, §6-43-110.

Disposition of warrants, §6-43-110.

Payment by county treasurer.

Indorsement when no funds,
§6-43-110.

State treasurer to receive
warrants, §6-43-110.

Conflicts of interest.

Board of trustees.

Materials and supplies, §6-43-206.

Employees.

Rules, §6-43-114.

Cultivation of grounds.

Employment of operatives for,
§6-43-212.

Employees, §6-43-104.

Additional compensation, §6-43-115.

Applicability of nepotism rules,
§6-43-114.

Conflicts of interests rules,
§6-43-114.

Discharge, §6-43-210.

Dual position occupancy, §6-43-117.

Duties, §6-43-210.

Ethics rules, §6-43-114.

Operatives to make repairs and
cultivate grounds, §6-43-212.

BLIND PERSONS —Cont'd**School for the blind —Cont'd**

Employees —Cont'd

Salaries.

Compensation limitation,
§6-43-113.

Increases or decreases, §6-43-213.

Special allowances, §6-43-116.

Expenditures.

Statement of expenditures,
§6-43-222.

Expulsions, §6-43-215.

Funeral expenses, §6-43-111.

Graduates.

Aid to graduates, §6-43-218.

Need as basis for aid, §6-43-218.

Maintenance, transportation and
security, §6-43-321.

Property.

Deemed property of state, §6-43-205.

General control of property.

Board of trustees, §6-43-204.

Holding in trust for use of
institution, §6-43-205.

Use during vacation period
forbidden, §6-43-216.

Purchases.

Conflicts of interest, §6-43-206.

General control of board of trustees,
§6-43-204.

Records.

Purchasing agent, §6-43-220.

Records.

Allowances, §6-43-222.

Purchasing agent, §6-43-220.

Removal of pupils.

Expenses, §6-43-108.

Reports, §6-43-221.

Publication, §6-43-223.

Residence.

Certificate of residence to
accompany application for
admission, §6-43-107.

Rules and regulations.

Board of trustees, §6-43-203.

Salaries.

Employees, §6-43-213.

Teachers, §6-43-213.

Sale of articles made by student.

Disposition of funds, §6-43-217.

Steward.

Bonds, surety, §6-43-209.

Duties, §6-43-209.

Superintendent, §§6-43-103, 6-43-208.

Board of trustees.

Not eligible for office of trustee,
§6-43-201.

Bond, surety, §6-43-103.

BLIND PERSONS —Cont'd**School for the blind —Cont'd**

Superintendent —Cont'd

Compensation, §6-43-208.

Employees.

Powers as to, §6-43-104.

Railroads.

Free transportation, §6-43-208.

Selection, §6-43-103.

Teachers.

Licenses.

Required, §6-43-211.

Qualifications, §6-43-211.

Salaries.

Authorization to pay maximum
annual salary, §6-43-213.

Eligibility for step increase after
certification, §6-43-213.

Transportation of pupils, §6-43-112.

United States Constitution.

Copy presented to blind pupils,
§6-43-219.

Teachers for visually impaired

entering state service, §6-17-809.

Universities and colleges.

Arkansas institution for advocacy for
the blind, §§6-61-115 to 6-61-117.

Electronic versions of instructional
materials.

Transcription into Braille, §6-68-105.

**Vocational education and
rehabilitation.**

See VOCATIONAL EDUCATION AND
REHABILITATION.

Warrants for the payment of money.

School for the blind.

Clothing and traveling expenses.

Application to payment of
auditor's warrants in favor of
counties, §6-43-110.

County treasurer to pay warrants,
§6-43-110.

Disposition of warrants, §6-43-110.

Presenting warrants to county
treasurer, §6-43-110.

State treasurer to receive
warrants in payment,
§6-43-110.

BOARDS AND COMMISSIONS.

Educational standards commission,
§6-15-1201.

Educational television commission,
§§6-3-101 to 6-3-113.

See EDUCATIONAL TELEVISION.

**Institution for advocacy for the
blind.**

Arkansas board for the institution for
advocacy for the blind, §§6-61-116,
6-61-117.

BOARDS AND COMMISSIONS

—Cont'd

Institution for advocacy for the deaf.

Arkansas board for the institution for advocacy for the deaf, §§6-61-119, 6-61-120.

Nurses.

Graduate nurse educator loan and scholarship board, §6-81-1202.

State board of workforce education and career opportunities,
§§6-11-201 to 6-11-207.

See WORKFORCE EDUCATION.

Teachers.

Professional education, development, licensure and assessment board, §6-17-420.

Salaries study commission, §6-17-806.

State teacher assistance resource commission, §6-81-1507.

Workforce education and career opportunities board, §§6-11-201 to 6-11-207.

See WORKFORCE EDUCATION.

BOND ISSUES.**Buildings.**

Vocational education and rehabilitation, §6-51-216.

See VOCATIONAL EDUCATION AND REHABILITATION.

Community colleges.

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Corporations.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Refunding bonds.

Student loans, §6-81-119.

Universities and colleges.

Buildings.

Bond issues, §6-62-312.

Student loans.

See STUDENT LOANS.

Technical college and community college capital improvements,
§§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Universities and colleges.

Buildings and facilities.

See UNIVERSITIES AND COLLEGES.

BOND ISSUES —Cont'd**Universities and colleges —Cont'd**

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-725.

See UNIVERSITIES AND COLLEGES.

University of Arkansas.

Legal education fund, §§6-64-607 to 6-64-619.

See UNIVERSITY OF ARKANSAS.

Vocational education and rehabilitation.

Buildings, §6-51-216.

BONDS, SURETY.**Blind persons.**

School for the blind.

Steward, §6-43-209.

Superintendent, §6-43-103.

Deaf persons.

School for the deaf.

Superintendent, §6-43-103.

Education.

County boards of education.

Final orders or decisions, §6-12-307.

School districts.

Treasurers, §6-13-701.

Residence and correspondence schools, §6-51-620.**Student loans.**

Guarantee foundation.

Disbursing officer, §6-81-203.

Universities and colleges.

Improvement districts.

Collectors and treasurer, §6-71-114.

University of Arkansas.

Board of trustees.

Financial officer, §6-64-211.

Purchasing agent and registrar, §6-64-213.

Military department.

Giving bond to United States to secure use of arms for military department, §6-64-1003.

Execution by surety company. Amount, §6-64-1003.

Workforce education and career opportunities, state board of.

Director's surety bond, §6-11-201.

BOOKS.**Textbooks.**

General provisions, §§6-21-401 to 6-21-413.

See EDUCATION.

BORROWING MONEY.**Universities and colleges.**

Private borrowing, §6-62-105.

BOUNDARIES.**Education.**

School districts.

Annexation and consolidation,
§§6-13-1401 to 6-13-1410.Changes by state board of education,
§6-13-1210.

Maintenance of records, §6-11-127.

Uncertain boundaries, §6-13-104.

School districts.Annexation and consolidation,
§§6-13-1401 to 6-13-1410.Boundary changes by state board of
education, §6-13-1210.

Maintenance of records, §6-11-127.

Uncertain boundaries, §6-13-104.

BREACH OF PEACE.**Education.**

Persons not students.

Penalty, §6-21-606.

BRIBERY.**Education.**

Textbooks.

Illegal acts involving school officials,
§6-21-410.**BROTHELS.****Where prohibited,** §6-2-113.**BUDGETS.****Community colleges.**

General operations, §6-61-601.

Education.

School districts.

Directors.

Powers and duties as to budgets,
§6-13-620.

Penalty for violations, §6-24-120.

Petition for approval, §6-11-109.

Publication, §6-13-622.

Teachers salary law, §6-17-914.

Educational television.

Requests, §6-3-111.

Universities and colleges.

Board of higher education, §6-61-209.

BUILDINGS.**Bond issues.**Vocational education and
rehabilitation, §6-51-216.**Education.**

Destruction of property, §6-21-604.

Rent on department of education
buildings, §6-10-112.**Universities and colleges.**

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues,
§6-61-202.**BUILDINGS —Cont'd****Universities and colleges —Cont'd****Bond issues —Cont'd**Commission on coordination of
higher education finance.Advice necessary before issuance,
§6-62-306.Nonbinding effect of advice on
board of institution,
§6-62-306.Construction and effect of act,
§6-62-306.Information submitted to
commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes,
§6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc.,
§6-62-305.Refinancing valid outstanding
obligations.Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized,
§6-62-310.Terms and conditions of bonds,
§6-62-308.

Construction.

Authorized, §6-62-302.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded
outstanding obligations,
§6-62-312.

Rents.

Fixing, §6-62-311.

**Vocational education and
rehabilitation.**

Bond issues, §6-51-216.

BULLIES.**Education.**

Policies to prevent bullying and harassment, §6-18-514.

BURDEN OF PROOF.**School districts.**

Unlawful enrollment of students outside district, §6-18-202.

BUSES.**Education.**

School buses, §§6-19-101 to 6-19-119.
See SCHOOL BUSES.

C**CATASTROPHIC ILLNESS.****University and college employees.**

Catastrophic leave bank program, §§6-63-601, 6-63-602.

CELEBRATE FREEDOM WEEK.**Public schools, §6-6-101.****CELLULAR TELEPHONES.****School buses.**

Use of cell phone while driving bus, §6-19-120.

CENSORSHIP.**Education.**

American heritage and historical documents.
Content-based censorship prohibited, §6-16-122.

CHARTER SCHOOLS, §§6-23-101 to 6-23-601.**Citation of act, §6-23-101.****Conversion charter schools.**

Petition for status, §6-23-201.

Definitions, §6-23-103.**Disciplinary actions.**

Grounds, §6-23-105.

Legislative intent, §6-23-102.**Limited charter schools, §6-23-601.****Open-enrollment charter schools, §§6-23-301 to 6-23-507.**

Annual audit, §§6-23-403, 6-23-505.

Application form and procedures, §6-23-301.

Adoption of criteria for selection, §6-23-302.

Grounds for denial, §6-23-304.

Notice of disapproval, §6-23-305.

Appropriations, §§6-23-501 to 6-23-503.

Assets upon dissolution, §6-23-506.

Authority, §6-23-401.

Authorization, §6-23-303.

CHARTER SCHOOLS —Cont'd**Open-enrollment charter schools****—Cont'd**

Credit of state not pledged, §6-23-503.

Dissolution, §6-23-506.

Enrollment restrictions, §§6-23-402, 6-23-403.

Evaluation, §6-23-404.

Financial impact statement.

Grounds for denial of status, §6-23-305.

Form of charter, §6-23-104.

Contents of charters, §6-23-306.

Funding, §6-23-501.

Gifts and donations, §6-23-501.

Initial funding, §6-23-501.

Operation, §§6-23-401 to 6-23-404.

Participation in public school benefit program, §6-23-504.

Performance objectives, §§6-23-302, 6-23-303.

Petition for status.

Contents, §6-23-302.

Notice and hearing, §6-23-302.

Petition, defined, §6-23-103.

Resubmission of defective petitions, §6-23-305.

Review process, §6-23-302.

Powers, §6-23-401.

Preference criteria, §6-23-304.

Priority hiring of teachers.

Revocation of charter, §6-23-308.

Professional qualifications of employees, §6-23-306.

Renewal of charters, §6-23-307.

Reporting requirements, §6-23-310.

Resubmission of defective petitions, §6-23-305.

Rulemaking authority, §§6-23-308, 6-23-507.

Sectarian use of appropriations, §6-23-503.

Source of funding, §6-23-502.

Student attendance records, §6-23-402.

Petitions for status.

Authorization for status, §6-23-202.

Contents, §§6-23-201, 6-23-202.

Defective petitions.

Resubmission permitted, §6-23-203.

Disapproval, §6-23-201.

Limited charter schools, §6-23-601.

Notice and hearing, §6-23-201.

Open-enrollment charter schools, §§6-23-302, 6-23-305.

Petition, defined, §6-23-103.

Probation status, §6-23-105.**Public policy, §6-23-102.****Renewal of charter, §6-23-204.**

CHARTER SCHOOLS —Cont'd**Reporting requirements.**

State board's status report, §§6-23-207, 6-23-310.

Revisions to charter, §6-23-104.**Rulemaking authority, §§6-23-206, 6-23-309, 6-23-507.****School desegregation.**

Impact on effect, §6-23-106.

Teachers.

Priority public school hiring.

Revocation of charter, §§6-23-205, 6-23-308.

Professional qualifications of employees, §6-23-306.

Transfer of public school teacher, §6-23-201.

Title of act, §6-23-101.**CHILDREN.****Fundraising, elementary schools, §§6-18-1101 to 6-18-1105.**

See ELEMENTARY SCHOOL FUNDRAISING.

CHIROPRACTORS.**Tuition assistance for residents attending out of state chiropractic school, §6-81-1101.****CIRCUIT COURTS.****Education.**

School districts.

Annexation and consolidation.

Appeal of adverse agency decision, §6-13-1410.

CIVIL RIGHTS.**Education.**

Department of education.

Equity assistance center, §6-10-111.

Equity assistance center.

Department of education, §6-10-111.

CIVIL WAR REENACTMENTS.**Definitions, §6-5-501.****Weapons on school property, §6-5-502.****COLLEGES.****General provisions.**

See UNIVERSITIES AND COLLEGES.

COMMUNICATIONS.**Educational television.**

See EDUCATIONAL TELEVISION.

COMMUNITY COLLEGES.**Accreditation.**

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Activity fees, §6-61-523.**COMMUNITY COLLEGES —Cont'd**
Adult education.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Arkansas higher education performance reporting system, §6-61-127.**Authorization for establishment, §6-61-502.****Blind persons.**

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Bond issues.

Capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Budgets.

General operations, §6-61-601.

Capital improvements.

Bond issues, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Capital outlays.

Generally, §6-61-603.

Reorganization act of 1991, §6-53-207.

Community college without walls.

Housing allowance for president of college, §6-61-525.

Contracts.

Sharing of facilities, personnel and services, §6-61-524.

Definitions, §6-61-501.

Reorganization act of 1991, §6-53-103.

Tech-prep education, §6-53-501.

Districts.

Defined, §6-61-501.

Dissolution, §6-61-519.

Elections.

Formation of districts.

Ballot, §6-61-513.

Conduct of election, §6-61-514.

Date, §6-61-512.

Notification to county board of election commissioners, §6-61-511.

Petition, §6-61-510.

Reconstituted districts, §§6-61-516, 6-61-518.

Results, §6-61-515.

Formation.

Election.

Reconstituted districts, §§6-61-516, 6-61-518.

COMMUNITY COLLEGES —Cont'd**Districts —Cont'd****Formation —Cont'd**

Feasibility study, §6-61-507.

Minimum requirements, §6-61-508.

Limitation on number, §6-61-509.

Minimum requirements for establishment, §6-61-508.

Number.

Limitation, §6-61-509.

Reconstituted districts.

Elections on establishment, §§6-61-516, 6-61-518.

Taxation.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

East Arkansas community college.

Housing allowance for president of college, §6-61-525.

Elections.**Districts.**

Formation of districts, §§6-61-510 to 6-61-516. See within this heading, "Districts."

Local boards.

Members, §6-61-520.

Electronic communications.

Privacy policy, §6-61-126.

Equipment pools.

Reorganization act of 1991, §6-53-206.

Establishment.

Authority, §6-61-502.

Federal aid.

State community college board.

Administration of funds, §6-61-506.

Fees.

Activity fees, §6-61-523.

Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.

Student fees, §6-61-523.

Finance.**Budgets.**

General operations, §6-61-601.

Capital outlays.

Generally, §6-61-603.

Sources of funds, §6-61-603.

General operations.

Budgets, §6-61-601.

State funds, §6-61-601.

Taxation.

Millage taxes, §6-61-602.

Garland county community college.

Housing allowance for president of college, §6-61-525.

Housing allowance for presidents,

§§6-61-521, 6-61-525.

COMMUNITY COLLEGES —Cont'd**Identification cards.**

Student or employee identification cards.

Prohibited use of social security number, §6-61-128.

Illiteracy.

Reorganization act of 1991.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Junior colleges.

Division of community junior colleges.

Creation, §6-61-504.

Licenses.

Motor vehicles used by schools exempt from license fees, §6-51-101.

Limitation on operation, §6-61-522.**Local boards.**

Appointment or election of members.

Resolution, §6-61-529.

Composition, §6-61-520.

Defined, §6-61-501.

Duties, §6-61-521.

Election of members, §6-61-520.

Resolution for appointment or election of members, §6-61-529.

Powers, §6-61-521.

Purchases from board members and employees, §6-61-613.

Rules and regulations, §6-61-521.

School district representation, §6-61-530.

Terms of members, §6-61-520.

Vacancies, §6-61-520.

Mississippi county community college.

Housing allowance for president of college, §6-61-525.

University center, §6-61-528.

Motor vehicles.

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

National park community college,

§§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY COLLEGE.

North Arkansas community college.

Housing allowance for president of college, §6-61-525.

COMMUNITY COLLEGES —Cont'd
Northwest Arkansas community college.

Housing allowance for president of college, §6-61-525.

Operations.

Limitations on operation, §6-61-522.

Phillips county community college.

Building trades construction program, §6-61-526.

Housing allowance for president of college, §6-61-525.

Presidents.

Housing allowance for presidents of certain colleges, §6-61-525.

Reorganization act of 1991, §6-53-303.

Privacy policy.

Electronic communications, §6-61-126.

Purchases from employees,

§6-61-613.

Purchasing.

Purchases from board members and employees, §6-61-613.

Registration of motor vehicles.

Vehicles used for school purposes, §6-51-101.

Reorganization act of 1991.

Accreditation.

Interim accreditation, §6-53-209.

Administration of courses, programs and institutions.

Generally, §6-53-201.

Interim governance, §6-53-209.

Blind vendors who are licensed, §6-53-106.

Capital outlays, §6-53-207.

Conversions and consolidations.

Consolidation procedure, §6-53-405.

Coordination with institutional boards of trustees, §6-53-401.

Effect of conversion on employees and directors, §6-53-107.

Technical colleges.

Acceptance as branch campus of community college, §6-53-404.

Conversion of two-year branches to technical colleges, §6-53-402.

Conversion to community college, §6-53-403.

Two-year branches.

Conversion to community college, §6-53-403.

Conversion to technical colleges, §6-53-402.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

COMMUNITY COLLEGES —Cont'd
Reorganization act of 1991 —Cont'd

Definitions, §6-53-103.

Tech-prep education, §6-53-501.

Effect of chapter on existing law, §6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding, §6-53-105.

Illiteracy.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Interim accreditation and governance, §6-53-209.

Presidents, §6-53-303.

Purpose of chapter, §6-53-102.

State board of higher education.

Duties, §6-53-203.

Powers, §6-53-203.

Technical colleges designated part of system, §6-53-301.

Local board administration, §§6-53-301, 6-53-302.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to receive, §6-53-505.

Generally, §6-53-501.

Grants for tech-prep education, §6-53-502.

Applications, §6-53-503.

Factors considered in approving, §6-53-504.

Title of chapter, §6-53-101.

Transfer programs.

Approval of programs, §6-53-205.

Transfers to system after July 1, 1991, §6-53-210.

Transportation of students, §6-53-305.

Tuition and fees, §6-53-304.

Resolutions.

Appointment or election of members, §6-61-529.

Rich Mountain community college, §§6-61-701 to 6-61-708.

See RICH MOUNTAIN COMMUNITY COLLEGE.

Rules and regulations.

Local boards, §6-61-521.

Satellite campuses.

County support, §6-53-307.

Social security number.

Student or employee identification cards, §6-61-126.

COMMUNITY COLLEGES —Cont'd
South Arkansas community college.

Housing allowance for president,
 §6-61-525.

State community college board,
 §6-61-501.

Defined, §6-61-501.

Duties, §6-61-505.

Administration of funds, §6-61-506.

Powers, §6-61-505.

Student fees, §6-61-523.

Taxation.

Districts.

Ad valorem taxes, §6-61-517.

Reduction or repeal, §6-61-519.

General operations.

Millage taxes, §6-61-602.

Millage tax, §6-61-503.

Motor vehicles used by schools exempt
 from taxes, §6-51-101.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of state agency to
 receive, §6-53-505.

Generally, §6-53-501.

Grants for tech-prep education,
 §6-53-502.

Applications, §6-53-503.

Factors considered in approving,
 §6-53-504.

Transfer programs.

Approval of programs, §6-53-205.

Transportation of students,
 §6-53-305.

Tuition, §6-53-304.

Universities and colleges.

Agreements for sharing facilities,
 personnel and services, §6-61-524.

**COMMUNITY COLLEGE WITHOUT
 WALLS.**

President.

Housing allowance, §6-61-525.

**COMMUNITY SERVICES
 ADMINISTRATION.**

**Academic credit for community
 service, §6-16-120.**

COMPACTS.

Education.

Compact for education, §§6-4-201 to
 6-4-203.

See EDUCATION.

School districts.

See EDUCATION.

Southern regional education compact,
 §§6-4-101 to 6-4-107.

See EDUCATION.

**COMPETENCY AND OUTCOME
 BASED EDUCATION, §§6-15-401
 to 6-15-432.**

See EDUCATION.

**COMPULSORY ATTENDANCE LAW.
 Education.**

Attendance generally, §§6-18-201 to
 6-18-220.

See EDUCATION.

COMPUTERS.

Education.

Department of education.

Data accessible on website,
 §6-11-129.

Internet filters required, §6-21-111.

Statewide computer network,
 §6-11-124.

Prior review before purchase or
 lease of computers, §6-11-128.

**Information technology access for
 the blind.**

See BLIND PERSONS.

**CONFIDENTIALITY OF
 INFORMATION.**

Education.

Education funds for children with
 disabilities or foster children.

Confidentiality of records and files,
 §6-20-510.

Ethics.

Disclosure of confidential
 information, §6-24-104.

Handicapped children.

Tests and evaluations results,
 §§6-41-210, 6-41-218.

Handicapped children.

Education funds for children with
 disabilities or foster children.

Records and files, §6-20-510.

Tests and evaluation results of
 exceptional children, §§6-41-210,
 6-41-218.

Teachers.

Criminal history background checks,
 §6-17-410.

CONFLICT OF LAWS.

Education.

Ethics, §6-24-103.

CONFLICTS OF INTEREST.

Blind persons.

School for the blind.

Board of trustees.

Materials and supplies, §6-43-206.

CONFLICTS OF INTEREST —Cont'd**Blind persons —Cont'd**

School for the blind —Cont'd

Employees.

Rules, §6-43-114.

Education.

Ethics, §§6-24-101 to 6-24-119.

Educational television.

Commission, §6-3-102.

CONSERVATION.**Universities and colleges.**

Courses of study, §6-61-107.

CONSOLIDATION.**Community colleges.**

Reorganization act of 1991.

Conversions and consolidations.

See COMMUNITY COLLEGES.

Education.

Quality education act.

Annexation or consolidation of
noncomplying districts
generally, §§6-15-201 to
6-15-209.

See EDUCATION.

CONSTITUTION OF ARKANSAS.**Education.**

Amendment 74 rules and regulations,
§6-20-106.

CONSTITUTION OF THE UNITED STATES.**Blind persons.**

School for the blind.

Copy of constitution presented to
blind pupils, §6-43-219.

Universities and colleges.

Course in United States constitution.

Required, §6-61-106.

CONSTRUCTION.**Education.**

Schoolhouses.

Construction aid.

See EDUCATION.

Universities and colleges.

Buildings.

Self-liquidating projects, §6-62-307.

Improvement districts.

Inducing existing institution to move
to district, §6-71-141.

University of Arkansas.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.

CONSTRUCTION —Cont'd**Vocational education and rehabilitation.**

Housing construction program.

See VOCATIONAL EDUCATION
AND REHABILITATION.

CONSTRUCTION INDUSTRY

CRAFT TRAINING, §§6-55-101 to
6-55-107.

Arkansas construction industry

craft training trust fund,
§6-55-107.

Citation of act, §6-55-101.

Creation of program, §6-55-103.

Legislative declaration, §6-55-102.

Permits.

Surcharge to fund program, §6-55-106.

Trust fund, §6-55-106.

Planning, §6-55-104.

Purpose of provisions, §6-55-102.

**Requirements for apprenticeship
program**, §6-55-106.

Rules and regulations, §6-55-108.

**State apprenticeship coordination
steering committee.**

Planning duties, §6-55-104.

Program plan, §6-55-105.

Rules and regulations, §6-55-108.

Title of act, §6-55-101.

CONSTRUCTIVE SERVICE.**Universities and colleges.**

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service,
§6-71-124.

CONSUMER PROTECTION.**Door to door sales.**

Elementary school fundraising,
§§6-18-1101 to 6-18-1105.

CONTEMPT.

**Residence and correspondence
schools**, §6-51-619.

CONTRACTS.**Breach of contract.**

Teachers.

Districts and officers relieved from
liability, §6-17-803.

Community colleges.

Sharing of facilities, personnel and
services, §6-61-524.

Technical colleges, §6-53-302.

Municipal contracts, §6-53-308.

Education.

Children in institutions.

Contracts for educational services,
§6-11-120.

CONTRACTS —Cont'd**Education —Cont'd**

Exceptional children.

Services for exceptional children,
§6-41-313.

Local and county boards,
§6-41-313.

Military training equipment.

School districts.

Directors.

Power to contract for, §6-21-103.

Personnel policy law for classified
employees.

Incorporation into employee
contracts, §6-17-2304.

School districts.

High school facilities, §6-13-106.

Joint purchase of surplus
government property, §6-13-110.

Military training equipment.

Directors.

Power to contract for, §6-21-103.

Southern regional education compact.

Out-of-state education, §6-4-105.

State board of education.

Special contracts, §6-11-115.

Superintendents.

Employment of superintendents by
contract, §6-17-301.

Penalty for violations, §6-24-120.

Textbooks.

See EDUCATION.

Educational television.

Commission.

Power to contract, §6-3-106.

Nurses.

Nursing student loan revolving fund.

Written loan contract requirement,
§6-81-1408.

Public contracts.

Education.

Rulemaking authority, §6-21-109.

School districts.

Rulemaking authority, §6-21-109.

**Residence and correspondence
schools.**

Contracts and promissory notes of
unlicensed schools, §6-51-613.

Recovery of tuition, §6-51-613.

Void, §6-51-613.

School buses.

Contracts with member of school
board.

Null and void, §6-19-102.

CONTRACTS —Cont'd**Student loans.**

Bondholders or obligation holders.

Authority.

Enforcement of terms of contract
between authority and holder,
§6-81-115.

Services.

Contract with certain entities
authorized, §6-81-129.

Vesting students with contractual
capacity, §6-81-125.

Teachers.

Breach of contract.

Districts and officers relieved from
liability, §6-17-803.

Coaches, §6-17-301.

Department heads, §6-17-301.

Employment by contract, §6-17-301.

Penalty for violations, §6-24-120.

Indefinite teacher employment
contracts.

Amount of salary, §6-17-801.

Employment of teacher obligated to
another school district.

Liability of hiring district,
§6-17-304.

Null and void, §6-17-801.

Other provisions remain effective,
§6-17-801.

Vocational agriculture teachers,
§6-17-802.

Optional contract for hiring teachers,
§6-17-803.

Paying in twelve monthly
installments, §6-17-803.

Principals.

Employment of principals by
contract, §6-17-301.

Salaries.

Examination of teachers' contracts,
§6-17-920.

Warrants.

Void without contract, §6-17-919.

Student teachers, §6-17-305.

Technical colleges.

Local board, §6-53-302.

Municipal contracts, §6-53-308.

Universities and colleges.

Faculty/administrator development
fellows program.

Written contract required,
§6-63-410.

Military training property and
equipment, §6-62-102.

Southern regional education compact.
Board.

Cooperation and contracts with
board, §6-61-402.

CONTRACTS —Cont'd**Universities and colleges —Cont'd**

Transfer and lease of property of state university.

Execution of contracts, §6-62-605.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.
United States.

Authority to contract with
United States government,
§6-64-713.

Research, education and technical extension.

Authority to contract to perform research services, §6-64-905.

Authorization of contracts,
§6-64-908.

Technology institute.

Research contracts, §6-64-804.

Vocational education and rehabilitation.

Agriculture teachers.

Twelve month basis of contracts,
§6-17-802.

Postsecondary vocational and technical education.

Local board of directors.

Contractual authority, §6-51-904.

Private organizations, §6-50-101.

CONTROLLED SUBSTANCES.**Drug paraphernalia.**

School property and supplies.

Donation of lab equipment seized under drug paraphernalia law,
§6-21-102.

Education.

Concealing drugs.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline of student, §6-21-608.

Evidence.

Admissibility of evidence obtained,
§6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

Evidence.

Education.

Concealing drugs in school property.

Admissibility of evidence,
§6-21-608.

CONTROLLED SUBSTANCES

—Cont'd

Teachers.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

CONVERSION CHARTER SCHOOLS.

See CHARTER SCHOOLS.

CONVEYANCES.**School districts.**

Directors.

Authority to convey section lands,
§6-13-621.

Universities and colleges.

Transfer and lease of state university property.

Instruments of conveyance,
§6-62-611.

Trusts and trustees.

Trust conveyances to state for higher learning institutions.

See UNIVERSITIES AND COLLEGES.

COOPERATIVES.**Education.**

Education service cooperatives,
§§6-13-1001 to 6-13-1026.

See EDUCATION.

General provisions, §§6-13-901 to 6-13-906.

See EDUCATION.

COPIES.**Education.**

Southern regional education compact.

Engrossed copy furnished states upon approval of requisite number of states, §6-4-103.

CORE CURRICULUM.

Education, §6-18-104.

CORPORAL PUNISHMENT.**Schools.**

Employees' immunity from liability,
§6-17-112.

Reasonable punishment authorized,
§6-18-505.

CORPORATIONS.**Alcoholic beverages.**

Educational institutions.

Sales prohibited, §6-2-113.

Bond issues.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

CORPORATIONS —Cont'd**Charters.**

Educational institutions.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Educational institutions.

Alcoholic beverages.

Sales prohibited, §6-2-113.

Bond issues.

Power to borrow for construction of facilities, §6-2-110.

Charters.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Degrees.

Granting, §6-2-111.

Honorary degrees, §6-2-111.

Power to confer, §6-2-111.

Diplomas.

Granting, §6-2-111.

Power to confer, §6-2-111.

Election of officers, §6-2-104.

Fees.

Payment to secretary of state, §6-2-108.

Funds.

Use of funds or property, §6-2-103.

Gambling.

Prohibited, §6-2-113.

Gifts, bequests or devises for

particular purposes, §6-2-112.

Honorary degrees, §6-2-111.

Honors.

Power to confer, §6-2-111.

Incorporation.

Number of persons required to incorporate, §6-2-102.

Loans.

Power to borrow for construction of facilities, §6-2-110.

Meetings.

First meeting, §6-2-104.

Notice, §§6-2-104, 6-2-107.

Quorum, §6-2-104.

Name of association, §6-2-102.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Notice.

Meetings, §6-2-104.

Number of persons required to incorporate, §6-2-102.

Officers elected, §6-2-105.

CORPORATIONS —Cont'd**Educational institutions —Cont'd**

Penalties.

Violations, §6-2-111.

Perpetual succession, §6-2-109.

Powers of corporation, §6-2-109.

Property.

Use of funds or property, §6-2-103.

Purpose, §6-2-103.

Terms of officers, §6-2-105.

Trustees, §6-2-105.

Powers, §6-2-109.

Vacancies.

Filling, §6-2-105.

Fees.

Educational institutions.

Payment to secretary of state, §6-2-108.

Funds.

Educational institutions.

Use of funds or property, §6-2-103.

Gambling.

Educational institutions.

Prohibitions, §6-2-113.

Gifts.

Educational institutions.

Bequests, gifts or devises for particular purposes, §6-2-112.

Incorporation.

Educational institutions.

Number of persons required to incorporate, §6-2-102.

Loans.

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Meetings.

Educational institutions.

First meeting, §6-2-104.

Notice, §§6-2-104, 6-2-107.

Quorum, §6-2-104.

Names.

Educational institutions.

Change of name or charter provisions, §6-2-107.

Effective upon approval by board, §6-2-107.

Notice.

Educational institutions.

Meetings, §§6-2-104, 6-2-107.

Personal property.

Educational institutions.

Use of funds or property, §6-2-103.

Real property.

Educational institutions.

Use of funds or property, §6-2-103.

CORPORATIONS —Cont'd**Universities and colleges.**

Incorporation.

See UNIVERSITIES AND
COLLEGES.**CORRESPONDENCE SCHOOLS.****Residence and correspondence
schools, §§6-51-601 to 6-51-623.**See RESIDENCE AND
CORRESPONDENCE SCHOOLS.**COSTS.****University of Arkansas.**

Legal education fund.

Levy of additional costs for,
§§6-64-604 to 6-64-606.**COTTON.****University of Arkansas.**

Agricultural experiment stations.

Cotton branch, §6-64-709.

**COTTON BOLL TECHNICAL
INSTITUTE.****Merger and name change, §§6-59-101
to 6-59-111.**See ARKANSAS NORTHEASTERN
COLLEGE.**COUNTIES.****Boards and commissions.**

Education.

County boards of education
generally.

See EDUCATION.

Education.

Charter schools.

General provisions, §§6-23-101 to
6-23-601.

See CHARTER SCHOOLS.

County general school fund.

See EDUCATION.

School districts.

See EDUCATION.

Sales and use taxes.Satellite campuses of community
colleges.Designation of undedicated tax for
capital improvements,
§6-53-307.

Technical college support.

Designation of undedicated tax or
capital improvements,
§6-53-307.**Schools.**

County school supervisors.

See EDUCATION.

University of Arkansas.

Agricultural experiment stations.

Appropriations by counties,
§6-64-704.**COUNTIES —Cont'd****University of Arkansas for medical
sciences.**

State medical center.

Quota of patients from counties,
§6-64-505.

Failure to pay, §6-64-507.

Indigent persons, §6-64-507.

COUNTY BOARDS OF EDUCATION,

§§6-12-301 to 6-12-314.

See EDUCATION.

COUNTY TREASURERS.**Education.**

County general school fund, §6-20-221.

School districts.

See EDUCATION.

CRAFT TRAINING.**Construction industry craft****training, §§6-55-101 to 6-55-107.**See CONSTRUCTION INDUSTRY
CRAFT TRAINING.**CRIMINAL HISTORY
INFORMATION.****Certified education personnel,**

§6-17-411.

Education.Certified education personnel,
§6-17-411.

Teachers.

First-time applicants for licenses,
§6-17-411.**Teachers.**Certified education personnel,
§6-17-411.First-time applicants for license,
§6-17-410.**CRIMINAL LAW AND PROCEDURE.****Advertising.**

Correspondence courses, §6-11-119.

Alcoholic beverages.

Education.

Providing alcoholic beverages to
students, §6-2-113.Sales prohibited near educational
institutions, §6-2-113.**Bond issues.**

Education.

District school bonds.

Charging brokerage fees or
commissions, §6-20-1206.**Bribery.**

Education.

Sale of textbooks and other
instructional materials,
§6-21-410.

CRIMINAL LAW AND PROCEDURE

—Cont'd

Brothels.

- Educational institutions.
- Prohibited near, §6-2-113.

Correspondence courses.

- Advertising violations, §6-11-119.

Discrimination.

- Education.
- Discrimination against students, §6-10-114.

Education.

- Agricultural colleges.
- Board of trustees.
- Violation of oath.
- Arkansas State university, §6-65-201.
- Arkansas Tech university, §6-65-301.
- Southern Arkansas university, §6-65-401.
- Faculty and employees.
- Hiring restrictions, §6-65-107.
- Sale of farm products.
- Disposition of proceeds, §6-65-110.
- Alcoholic beverages.
- Furnishing to students, §6-2-113.
- Sales near educational institutions, §6-2-113.
- Annoying conduct by trespassers, §6-21-606.
- Arkansas State university.
- Board of trustees.
- Violation of oath, §6-65-201.
- Arkansas Tech university.
- Board of trustees.
- Violation of oath, §6-65-301.
- Attendance reports.
- Falsification, §6-18-219.
- Bond issues.
- Charging brokerage fees or commissions, §6-20-1206.
- Brothels.
- Prohibited near educational institutions, §6-2-113.
- Commodities.
- Acquisition, §6-21-302.
- Contracts and budgets.
- Penalty for violations, §6-24-120.
- Correspondence courses.
- Advertisement of courses by unapproved school, §6-11-119.
- Degrees, diplomas and honors.
- Conferred unlawfully, §6-2-111.
- Discrimination against students, §6-10-114.
- Elementary and secondary education.
- Discrimination against students, §6-10-114.

CRIMINAL LAW AND PROCEDURE

—Cont'd

Education —Cont'd

- Elementary and secondary education
- Cont'd
- School law violations, §6-10-102.
- Smoking on school grounds, §6-21-609.
- Ethics violations, §6-24-115.
- Fire hazards inspections, §6-21-106.
- Fraternalities, sororities, etc., §6-18-602.
- Gambling.
- Enticing students to gamble or furnishing gambling devices, §6-2-113.
- Prohibited near educational institutions, §6-2-113.
- Hazing, §6-5-203.
- Henderson State university.
- Board of trustees.
- Violation of oath, §6-66-101.
- Illegal acts involving school officials, §6-21-410.
- Immunization, §6-18-702.
- Insult or abuse of teacher, §6-17-106.
- Language of instruction, §6-16-104.
- Loitering on or near school grounds, §6-21-607.
- Parental notification of law enforcement actions, §6-18-513.
- Postsecondary institutions.
- Course requirements, §6-61-105.
- Incorporation and certification requirements, §6-61-301.
- Private residence and correspondence schools, §6-51-615.
- Denial or suspension of admissions representative's license, §6-51-615.
- Operating school without, §6-51-612.
- Revolving loan fund.
- Fees charged for services performed, §6-20-816.
- Safety patrols.
- Consent requirements, §6-18-804.
- School bus drivers.
- Certification, §6-19-108.
- Loading and discharging pupils, §6-19-110.
- School discipline act.
- Act not to limit or restrict bringing of criminal charges, §6-18-504.
- School districts.
- Fraudulent use of district funds by treasurer, §6-13-701.
- Warrants for payment of money.
- Fraudulent issuance, §6-20-407.

CRIMINAL LAW AND PROCEDURE

—Cont'd

Education —Cont'd

- School for the blind and deaf.
 - Attendance violations, §6-43-105.
 - Board of trustees.
 - Violation of oath, §6-43-101.
- Smoking on school grounds, §6-21-609.
- Southern Arkansas university.
 - Board of trustees.
 - Violation of oath, §6-65-401.
- Textbooks.
 - Illegal acts involving school officials, §6-21-410.

Trespassers.

- Annoying conduct by, §6-21-606.

Tuberculosis tests.

- Public school employees, §6-17-101.

University of Arkansas.

- Records and reports regarding students and teachers.
 - Failure to keep or report, §6-64-215.

University of Central Arkansas.

- Board of trustees.
 - Violation of oath, §6-67-102.

Unlawful enrollment of students outside district, §6-18-202.**Vandalizing schools, §6-21-605.****Fraternities, §6-18-602.****Fraud.****Education.**

- School districts.
 - Fraudulent use of district funds by treasurer, §6-13-701.
 - Warrants for payment of money.
 - Fraudulent issuance, §6-20-407.

Gambling.**Education.**

- Enticing students to gamble or furnishing gambling devices, §6-2-113.
- Prohibited near educational institutions, §6-2-113.

Hazing, §6-5-203.**Immunization.**

- School children, §6-18-702.

Loitering.

- School grounds, §6-21-607.

Parent and child.**Education.**

- Parental notification of law enforcement actions, §6-18-513.

School bus drivers.

- Cell phone, use while driving bus, §6-19-120.
- Certification, §6-19-108.

CRIMINAL LAW AND PROCEDURE

—Cont'd

School bus drivers —Cont'd

- Loading and discharging pupils, §6-19-110.

School buses.

- Seating, overcrowding, §6-19-119.

Smoking.

- School grounds, §6-21-609.

Sororities, §6-18-602.**Trespass.****Schools.**

- Annoying conduct by trespassers, §6-21-606.

Tuberculosis.**Tests.**

- Public school employees, §6-17-101.

University of Arkansas.

- Records and reports regarding students and teachers.
 - Failure to keep or report, §6-64-215.

Vandalism.

- School property, §6-21-605.

CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM, §§6-82-1501 to 6-82-1506.**Administration of program, §6-82-1505.****Citation of act, §6-82-1501.****Committee.**

- Establishment, §6-82-1506.

Establishment, §6-82-1502.**Minority defined, §6-82-1503.****Purpose, §6-82-1502.****Rules and regulations, §6-82-1505.****Service requirement for scholarship recipients, §6-82-1504.****Title of act, §6-82-1501.****D****DAMAGES.****Education.****Textbooks.**

- Publisher's failure to comply with contract, §6-21-409.

School buses.**Drivers.**

- Liability for injury or death of pupils, §6-19-105.

Universities and colleges.**Improvement districts.****Real property.**

- Petition to acquire private property.

- Deposit to cover damages prior to determination, §6-71-140.

DAMAGES —Cont'd**Universities and colleges —Cont'd**

Improvement districts —Cont'd

Real property —Cont'd

Petition to acquire private
property —Cont'dDetermination of damages,
§6-71-140.

Payment of damages, §6-71-140.

DATA PROCESSING.**Education.**

General provisions.

See EDUCATION.

Public school system computer
network advisory council,
§6-11-124.**Universities and colleges.**

Defined, §6-61-101.

DEAF PERSONS.**Accounts and accounting.**

School for the deaf, §6-43-309.

American sign language.

Universities and colleges.

Qualification of American sign
language as foreign language,
§6-61-125.**Arkansas institution for advocacy
for the deaf, §§6-61-118 to
6-61-120.****Bonds, surety.**

School for the deaf.

Superintendent, §6-43-103.

Education.Arkansas institution for advocacy for
the deaf, §§6-61-118 to 6-61-120.Clothing and traveling expenses. See
within this heading, "School for
the deaf."Compulsory school attendance,
§6-43-105.Employers or harborers of absentees
guilty.

Penalties, §6-43-105.

Exemption from attendance,
§6-43-105.

No facilities available.

Authority to send children outside
state where no facilities
available, §6-43-106.One week's absence an offense,
§6-43-105.

Penalty, §6-43-105.

Prosecuting attorneys and school
attendance officers to enforce
act, §6-43-105.

Traveling time, §6-43-105.

DEAF PERSONS —Cont'd**Education —Cont'd**Extension of time for pupils,
§6-43-316.

Funeral expenses, §6-43-111.

Length of time pupils may remain,
§6-43-316.List of applications in numerical order,
§6-43-315.

Removal of pupils.

Expenses, §6-43-108.

Residence.

Certificate of residence to
accompany application for
admission, §6-43-107.School for the deaf, §§6-43-301 to
6-43-319. See within this heading,
"School for the deaf."Teachers for hearing impaired
entering state service, §6-17-809.

Universities and colleges.

Aid to deaf students at college,
§6-43-318.**Institution for advocacy for the
deaf, §§6-61-118 to 6-61-120.****Names.**

School for the deaf, §6-43-301.

Penalties.

Education.

Compulsory school attendance.

Employers or harborers of
absentees guilty, §6-43-105.**Prosecuting attorneys.**

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Records.

School for the deaf.

Contents, §6-43-309.

Secretary and purchasing agent,
§6-43-310.**Reports.**

School for the deaf, §6-43-309.

Biennial reports, §6-43-311.

School for the deaf.

Accounts and accounting, §6-43-309.

Action for trespass or other wrongs
brought by state, §6-43-304.

Applications for admission.

List of applications in numerical
order, §6-43-315.

Auditor.

Warrants drawn, §6-43-308.

Board.

Personal property.

Holding property in trust,
§6-43-302.

DEAF PERSONS —Cont'd**School for the deaf —Cont'd****Board —Cont'd**

Real property.

Holding property in trust,

§6-43-302.

Boarding, §6-43-317.

Board of trustees.

Appointment of members, §6-43-101.

Compensation of members,

§6-43-101.

Composition, §6-43-101.

Creation, §6-43-101.

Duties, §6-43-102.

Number of members, §6-43-101.

Oath of office, §6-43-101.

Powers, §6-43-102.

Rent, construction or repair of
facilities, §6-43-303.Qualifications of members,
§6-43-101.

Removal of members, §6-43-101.

Terms of members, §6-43-101.

Vacancies, §6-43-101.

Clothing and traveling expenses,
§6-43-109.Collection from parents or county,
§6-43-109.County charged when furnished by
state, §6-43-109.**Warrants for the payment of money.**Application in payment of
auditor's warrants in favor of
counties, §6-43-110.

Payment by county treasurer.

Indorsement when no funds,
§6-43-110.Presentation to county treasurer,
§6-43-110.State treasurer to receive in
payment for clothing and
traveling expenses, §6-43-110.**Colleges.**Aid to deaf students at college,
§6-43-318.Cruel or severe punishment forbidden,
§6-43-319.Discharge of teachers and employees,
§6-43-306.**Employees, §6-43-104.**

Compensation limitation, §6-43-113.

Conflict of interests, rules,
§6-43-114.

Discharge, §6-43-306.

Dual position occupancy, §6-43-117.

Duties, §6-43-306.

Ethics rules, §6-43-114.

Nepotism rules, §6-43-114.

DEAF PERSONS —Cont'd**School for the deaf —Cont'd****Employees —Cont'd**

Salaries.

Additional compensation,

§6-43-115.

Increases.

Limitations, §6-43-307.

Limitation, §§6-43-113, 6-43-307.

Special allowances, §6-43-116.

Establishment, §6-43-301.

Extension of time for pupils,
§6-43-316.**Facilities.**Rent, construction or repair,
§6-43-303.

Funeral expenses, §6-43-111.

Length of time pupils may remain,
§6-43-316.List of applications in numerical order,
§6-43-315.

Lodging, §6-43-317.

Maintenance, transportation and
security for school for the blind,
§6-43-321.

Name and title, §6-43-301.

Property.Board to hold property in trust,
§6-43-302.

Tax exemption, §6-43-302.

Punishment.Cruel or severe punishment
forbidden, §6-43-319.**Records.**

Contents, §6-43-309.

Reports, §6-43-309.

Secretary and purchasing agent,
§6-43-310.**Removal of pupils.**

Expenses, §6-43-108.

Reports.

Biennial reports, §6-43-311.

Residence.Certificate of residence to
accompany application for
admission, §6-43-107.**Salaries.**

Increase.

Limitations, §6-43-307.

Shift work, §6-43-320.

Superintendent, §6-43-103.

Bond, surety, §6-43-103.

Employees.

Powers as to, §6-43-104.

Selection, §6-43-103.

Teachers.**Certification.**Eligibility for step increase after
certification, §6-43-305.

DEAF PERSONS —Cont'd**School for the deaf —Cont'd****Teachers —Cont'd**

Discharge, §6-43-306.

Duties, §6-43-306.

Employment, §6-43-305.

Qualifications, §6-43-305.

Salaries.

Authorization to pay maximum annual salary, §6-43-305.

Eligibility for step increase after certification, §6-43-305.

Maximum annual salary.

Authorization to pay, §6-43-305.

Transportation of pupils, §6-43-112.

Treasurer.

Custody of funds, §6-43-308.

Warrants for payment of money.

Auditor to draw, §6-43-308.

Sign language.

Universities and colleges.

American sign language as foreign language, §6-61-125.

Taxation.

School for the deaf.

Property exempt from taxation, §6-43-302.

Teachers.

School for the deaf, §§6-43-305, 6-43-306.

Teachers for hearing impaired

entering state service, §6-17-809.

Trespass.

School for the deaf.

Action for trespass or other wrongs brought by state, §6-43-304.

Universities and colleges.

Aid to deaf students at college, §6-43-318.

American sign language as foreign language, §6-61-125.

Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.

Vocational education and rehabilitation.

See VOCATIONAL EDUCATION AND REHABILITATION.

Warrants for payment of money.

School for the deaf.

Auditor to draw warrants, §6-43-308.

Clothing and traveling expenses, §6-43-110.

DEATH.**School buses.****Drivers.**

Liability for injury or death of pupils, §6-19-105.

DEFAULTS.**Student loans.**

Collection, §6-81-128.

DEFINED TERMS.**Academic ability.**

Arkansas workforce improvement grant program, §6-82-1602.

Governor's scholarships, §6-82-302.

High technology scholarships, §6-82-401.

Scholarships, §6-82-202.

Academic department.

Postsecondary institutions, §6-61-222.

Academic department and program expenditures.

Postsecondary institutions, §6-61-222.

Academic department and program revenues.

Postsecondary institutions, §6-61-222.

Academic improvement plan.

Comprehensive, testing, assessment and accountability program, §6-15-419.

Academic program.

Postsecondary institutions, §6-61-222.

Account.

Tax-deferred tuition savings program, §6-84-103.

Account owner.

Tax-deferred tuition savings program, §6-84-103.

Accumulated sick leave.

School employees' minimum sick leave, §6-17-1302.

Teachers' minimum sick leave, §6-17-1202.

A child with disabilities.

Education, §6-41-203.

Activity bus.

High cost transportation funding, §6-20-1702.

Activity funds.

Education, §6-13-701.

Act of violence.

Student crime, reporting, §6-17-113.

Additional base funding.

School finance act, §6-20-303.

Additional mills for maintenance and operation.

School finance act, §6-20-303.

Adequate yearly progress.

Comprehensive, testing, assessment and accountability program, §6-15-419.

Administrators.

Corporal punishment, §6-17-112.

Education, ethics, §6-24-102.

DEFINED TERMS —Cont'd**Admissions representative.**

VO-TECH schools, §6-51-602.

Adult.

Education.

Students, §6-18-1102.

Adult education program.

Arkansas northeastern college,
§6-59-101.

Arkansas state university-Searcy,
§6-56-101.

National park community college,
§6-58-101.

Advanced placement course,
§6-16-803.

Education.

Standards and quality generally,
§6-15-901.

Affected districts.

School districts, annexation and
consolidation, §6-13-1401.

Agent.

VO-TECH schools, §6-51-602.

Alternative education program.

School finance act, §6-20-303.

American College Test assessment.

High schools, §6-18-403.

**American College Test fee waiver
program.**

High schools, §6-18-403.

Annexation.

Comprehensive, testing, assessment
and accountability program,
§6-15-419.

School district fiscal assessment and
accountability, §6-20-1903.

School districts, annexation and
consolidation, §6-13-1401.

Applied general education courses.

Arkansas northeastern college,
§6-59-101.

Arkansas state university-Searcy,
§6-56-101.

National park community college,
§6-58-101.

Apprenticeship training programs.

Vo-Tech training, §6-52-201.

**Appropriate early childhood
program.**

Education.

Arkansas Better Chance program,
§6-45-103.

Approved high technology program.

High technology scholarships,
§6-82-401.

Approved institution.

Academic challenge scholarships,
§6-82-1002.

DEFINED TERMS —Cont'd**Approved institution —Cont'd**

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.

Second effort scholarships, §6-82-1102.

Approved private institution.

Arkansas workforce improvement
grant program, §6-82-1602.

Scholarships, §6-82-202.

Approved public institution.

Arkansas workforce improvement
grant program, §6-82-1602.

Scholarships, §6-82-202.

Approved transportation unit.

High cost transportation funding,
§6-20-1702.

Area.

High cost transportation funding,
§6-20-1702.

**Arkansas better chance for school
success,** §6-45-103.**Arkansas comprehensive, testing,
assessment, and accountability
program.**

Education, §6-15-407.

**Arkansas department of public
health.**

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

**Arkansas early childhood
commission.**

Education.

Arkansas Better Chance program,
§6-45-103.

Arkansas HIPPY advisory board.

Education.

Arkansas Better Chance program,
§6-45-103.

Arkansas school of nursing.

Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.

Articulation agreement.

Tech-prep education grants, §6-53-501.

Assessors.

College and university improvements,
§6-71-101.

Assigned school.

High cost transportation funding,
§6-20-1702.

Athletic deficit.

Funding, §6-62-802.

Athletic expenditures.

Education, §§6-62-106, 6-62-802.

Athletic program.

Funding, §6-62-802.

DEFINED TERMS —Cont'd**At-risk funding.**

School finance act, §6-20-303.

Average daily membership.

High cost transportation funding,
§6-20-1702.

School finance act, §6-20-303.

Average daily transported.

High cost transportation funding,
§6-20-1702.

Bank funds.

Finances of state institutions,
§6-62-601.

Base local revenue per student.

School finance act, §6-20-303.

Base millage.

School finance act, §6-20-303.

Basic skills training.

Existing workforce training act,
§6-50-702.

BAT.

Vo-Tech training, §6-52-201.

Board member.

Education, ethics, §6-24-102.

Board of education.

Education, ethics, §6-24-102.

Board of finance.

Student loans, §6-81-101.

Board of trustees.

Postsecondary institutions, §6-61-1002.

Bonds.

Postsecondary institutions, §6-61-1002.

Student loans, §6-81-101.

Branch campus of the community college.

Postsecondary education
reorganization, §6-53-103.

Bus seating capacity.

High cost transportation funding,
§6-20-1702.

Capital improvements.

Postsecondary institutions, §6-61-1002.

Capital outlay expense.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §6-61-501.

Catastrophic illness.

Employees of state institutions,
§6-63-601.

Catastrophic leave.

Employees of state institutions,
§6-63-601.

Catastrophic leave bank.

Employees of state institutions,
§6-63-601.

Cellular telephone.

Use of cell phone while driving school
bus, §6-19-120.

DEFINED TERMS —Cont'd**Certified employee.**

Education, §6-13-1302.

Charter.

Charter schools, §6-23-103.

Charter schools, §6-23-103.**Child.**

Education, §6-82-501.

Child living in a foster home.

Education.

Finances, §6-20-502.

Child with disabilities.

Education financing, §6-20-502.

Civil War, §6-5-501.**Civil War-era weapon, §6-5-501.****Civil War reenactor, §6-5-501.****Classified employee.**

Education, §6-13-1302.
Minimum salary act, §6-17-2202.
Personnel policy law for classified
employees, §6-17-2301.

Classified personnel.

Education, §6-17-808.

Classroom teacher.

School finance act, §6-20-303.
Teachers, national board certification,
§6-17-412.

Classroom training.

Existing workforce training act,
§6-50-702.

Collector.

College and university improvements,
§6-71-101.

College advanced placement test, §6-16-803.**College board.**

Advanced placement program,
§6-16-803.

Combination school.

Vo-Tech schools, §6-51-602.

Commodities.

Education.
School property and supplies,
§6-21-301.
Ethics, §6-24-102.

Community college.

Postsecondary education
reorganization, §6-53-103.
Postsecondary institutions, §§6-61-501,
6-61-1002.

Community truancy board, §6-18-225.**Company.**

Existing workforce training act,
§6-50-702.

Competitive examination.

Governor's scholarships, §6-82-302.

Compliance citation.

Children with disabilities, §6-41-402.

DEFINED TERMS —Cont'd**Comprehensive school improvement plan.**

Comprehensive, testing, assessment and accountability program,
§6-15-419.

Consolidation.

Comprehensive, testing, assessment and accountability program,
§6-15-419.

Interim personnel policy committee,
§6-17-209.

School district fiscal assessment and accountability, §6-20-1903.

School districts, annexation and consolidation, §6-13-1401.

Consortium.

Existing workforce training act,
§6-50-702.

Contract.

Education, ethics, §6-24-102.

Conviction.

School district employees convicted of committing sexual offenses,
§6-17-116.

Corporate limits.

College and university improvements,
§6-71-101.

Correspondence school.

VO-TECH schools, §6-51-602.

Cost of higher education.

College savings bonds, §6-62-703.

Costs of issuance.

Postsecondary institutions, §6-61-1002.

Course time.

Education, §6-18-507.

Credit certificate.

Arkansas workforce improvement grant program, §6-82-1602.

Current indebtedness.

Education.

Finances, §6-20-401.

Data processing.

Postsecondary institutions, §6-61-101.

Deadly weapon.

Student crime, reporting, §6-17-113.

Debt adjuster, §6-63-301.**Debt service.**

College savings bonds, §6-62-703.

Postsecondary institutions, §6-61-1002.

Debt service funding supplement.

School finance act, §6-20-303.

Debt service mileage.

School finance act, §6-20-303.

Density.

High cost transportation funding,
§6-20-1702.

DEFINED TERMS —Cont'd**Dependent.**

Children of prisoners of war,
§6-82-601.

Designated beneficiary.

Tax-deferred tuition savings program,
§6-84-103.

Develop.

College savings bonds, §6-62-703.

Directly.

Education, ethics, §6-24-102.

Directly interested.

Education, ethics, §6-24-102.

Disaster aid.

High cost transportation funding,
§6-20-1702.

Distance learning, §6-47-403.**District.**

College and university improvements,
§6-71-101.

Postsecondary education reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

District improvement plan.

Comprehensive, testing, assessment and accountability program,
§6-15-419.

Door-to-door sales.

Education.

Students, §6-18-1102.

Early intervention.

Comprehensive, testing, assessment and accountability program,
§6-15-419.

Educational cooperative.

School districts, §6-13-902.

Electronic communication.

Universities and colleges, §6-61-126.

Elementary school student,

§6-18-1102.

Eligible debt service mileage required.

School finance act, §6-20-303.

Eligible entity.

Charter schools, §6-23-103.

Eligible recipient.

Existing workforce training act,
§6-50-702.

Eligible student.

Academic challenge scholarships,
§6-82-1002.

Arkansas workforce improvement grant program, §6-82-1602.

Governor's scholarships, §6-82-302.

Second effort scholarships, §6-82-1102.

Emergency purchases.

Education, ethics, §6-24-102.

DEFINED TERMS —Cont'd**Employee.**

- Catastrophic leave bank, §6-63-601.
- Education, ethics, §6-24-102.
- Education personnel, §6-17-208.
- Public school employee fair hearing act, §6-17-1702.

End of course.

- Comprehensive, testing, assessment and accountability program, §6-15-419.

Energy conservation measures.

- Education financing, §6-20-401.

Energy savings contract.

- School districts, §6-20-405.

Enrollee.

- VO-TECH schools, §6-51-602.

Equalized local revenue per student.

- School finance act, §6-20-303.

Established policies.

- Postsecondary institutions, §6-61-208.

Exceptional children.

- Children with disabilities, §6-41-302.

Excess debt service mileage.

- School finance act, §6-20-303.

Existing community college.

- Postsecondary education reorganization, §6-53-103.

Expulsion.

- Education, §6-18-507.

Extension course site.

- VO-TECH schools, §6-51-602.

Extracurricular activity.

- Education, §6-22-103.

Extraordinary academic ability.

- Governor's scholarships, §6-82-302.

Family.

- Education, ethics, §6-24-102.

Family members.

- Education, ethics, §6-24-102.

Federal funds.

- Education.
- Finances, §6-20-502.

Feeder bus.

- High cost transportation funding, §6-20-1702.

Financial hardships.

- Education, §6-18-210.

Financial interest.

- Education, ethics, §6-24-102.

Financial need.

- Academic challenge scholarships, §6-82-1002.
- Arkansas workforce improvement grant program, §6-82-1602.
- Scholarships, §6-82-202.

Firearm.

- Student crime, reporting, §6-17-113.

DEFINED TERMS —Cont'd**Firefighter.**

- Children scholarships, §6-82-501.

Fiscal distress status.

- School district fiscal assessment and accountability, §6-20-1903.

Fiscal integrity.

- School district fiscal assessment and accountability, §6-20-1903.

Fiscal year.

- Education.
- Personnel, §6-17-306.

Five-year teacher education program.

- State teacher assistance resource program, §6-81-1502.

Fleet seating capacity.

- High cost transportation funding, §6-20-1702.

Four-day school week, §6-10-117.**Four-year teacher education program.**

- State teacher assistance resource program, §6-81-1502.

Full-time classified employees.

- Minimum salary act, §6-17-2202.

Full-time employee.

- Public school employee fair hearing act, §6-17-1702.

Full-time instructor or trainer.

- Existing workforce training act, §6-50-702.

Full-time student.

- Arkansas workforce improvement grant program, §6-82-1602.
- Governor's scholarships, §6-82-302.
- High technology scholarships, §6-82-401.
- Scholarships, §6-82-202.

Full-time undergraduate student.

- Academic challenge scholarships, §6-82-1002.

Fund-raising companies.

- Students, §6-18-1102.

General facility funding.

- School finance act, §6-20-303.

Governing council.

- Existing workforce training act, §6-50-702.

Grade level.

- Comprehensive, testing, assessment and accountability program, §6-15-419.

Graduate courses.

- Postsecondary institutions, §6-61-528.

Graduate program.

- Postsecondary institutions, §6-61-528.

DEFINED TERMS —Cont'd**Grant.**

Tuition assistance for residents attending certain out-of-state schools, §6-81-1101.

Gratuities.

Education, ethics, §6-24-102.

Grievance.

Education personnel, §6-17-208.

Gross tuition.

Residents and correspondence schools, §6-51-620.

Guaranteed educational loan.

Student loans, §6-81-101.

Harmful to minors.

Education, internet filters, §6-21-111.
School computer use policy, §6-21-107.

Hazing.

Education, §6-5-201.

Health care institution.

Vo-Tech schools, §6-51-701.

Higher education institution.

Tax-deferred tuition savings program, §6-84-103.

High school.

Comprehensive, testing, assessment and accountability program, §6-15-419.

Home school.

Education.
Standards and quality generally, §6-15-501.

Immediate family.

School employees' minimum sick leave, §6-17-1302.
Teachers' minimum sick leave, §6-17-1202.

Immediate family member.

State board of education, disposition of public property, §6-21-110.

Incentive millage.

School finance act, §6-20-303.

Incentive revenue I.

School finance act, §6-20-303.

Income.

Finances of state institutions, §6-62-106.

Indirectly.

Education, ethics, §6-24-102.

Indirectly interested.

Education, ethics, §6-24-102.

Individual education plan.

Children with disabilities, §§6-41-217, 6-41-402.

Industrial quality eye protective devices.

Education, §6-10-113.
Postsecondary institutions, §6-61-108.

DEFINED TERMS —Cont'd**Industrial quality eye protective devices —Cont'd**

VO-TECH schools, §6-51-102.

Infrastructure.

Distance learning, §6-47-403.

Institution of higher education.

College savings bonds, §6-62-703.
Electronic versions of instructional materials, §6-68-101.

Selective service act compliance, §6-80-102.

Institution of higher learning.

College savings bonds, §6-62-703.

Instructional material or materials.

Electronic versions of instructional materials, §6-68-101.

Instructional materials.

Education, §6-21-402.

Interim school board.

Interim personnel policy committee, §6-17-209.

Internal training.

Existing workforce training act, §6-50-702.

Interscholastic activity.

Education, §6-22-103.

Intervention services.

Students, §6-18-509.

Isolated funding.

School finance act, §6-20-303.

Isolated school district.

Education financing, §6-20-601.

Issuance.

District school bonds, second-lien commercial bonds, §6-20-1229.

Issue.

District school bonds, second-lien commercial bonds, §6-20-1229.

Juvenile detention facility.

Education, §6-20-104.

Law enforcement officer.

Children's scholarships, §6-82-501.

Lease agreement.

Property of state institutions, §6-62-601.

Legal education fund, §6-64-604.**Legally transferred students.**

High cost transportation funding, §6-20-1702.

Local board.

Charter schools, §6-23-103.

Postsecondary education reorganization, §6-53-103.
Postsecondary institutions, §6-61-501.

Local operating funds.

Education financing, §6-20-502.

DEFINED TERMS —Cont'd**Local revenue per student.**

School finance act, §6-20-303.

Local school district.

School finance act, §6-20-303.

Local school district at the ninety-fifth percentile.

School finance act, §6-20-303.

Loiter.

School property and supplies,
§6-21-607.

Mandatory callable bonds.

School finance act, §6-20-303.

Master's or doctoral nursing education program.

Advanced nursing practice and nurse
educator loans and scholarships,
§6-81-1201.

Maximum lawful rate.

Education financing, §§6-20-806,
6-20-1001, 6-20-1206.

Media services program.

Public school libraries, §6-25-103.

Meeting.

School property and supplies,
§6-21-202.

Member of the family.

Tax-deferred tuition savings program,
§6-84-103.

Middle school.

Comprehensive, testing, assessment
and accountability program,
§6-15-419.

Millage rate.

School finance act, §6-20-303.

Minimum state and local revenue per average daily membership.

School finance act, §6-20-303.

Minor child.

Universities and colleges, §6-60-210.

Minority.

Geographical critical needs minority
teacher scholarship program,
§6-82-1503.

Higher education minority retention
programs, §6-61-121.

Universities and colleges.

Reporting minority enrollment,
§6-61-124.

Miscellaneous funds.

School finance act, §6-20-303.

Motor vehicle.

Education.

Transportation, §6-19-110.

National board.

Teachers, national board certification,
§6-17-412.

DEFINED TERMS —Cont'd**New school district.**

Interim personnel policy committee,
§6-17-209.

New unit of instruction.

Postsecondary institutions, §6-61-208.

Noninstructional duties.

Teachers, §6-17-117.

Noninstructional time.

Education.

School property and supplies,
§6-21-202.

Nonprinted instructional materials.

Electronic versions of instructional
materials, §6-68-101.

Nonqualified withdrawal.

Tax-deferred tuition savings program,
§6-84-103.

Nonrevenue receipts of a school district.

Education.

Finances, §6-20-401.

Nontraditional scheduling.

Education, §6-18-507.

Nurse educator.

Loans and scholarships, §6-81-1201.

Obligations.

Student loans, §6-81-101.

Open-enrollment charter schools,

§6-23-103.

Open market purchases.

Education.

School property and supplies,
§6-21-301.

Operating expense.

Postsecondary education

reorganization, §6-53-103.

Postsecondary institutions, §6-61-501.

Ordinance delivery.

Children of prisoners of war.

Scholarships, §6-82-601.

Owner.

Property of state institutions,
§6-62-601.

Panel.

Postsecondary education

reorganization, §6-53-103.

Parent.

Charter schools, §6-23-103.

Education.

Students, §6-18-1102.

Site-based decision making.

Education, §6-13-1302.

Participating institution.

Student loans, §6-81-101.

Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.

DEFINED TERMS —Cont'd**Person.**

- College savings bonds, §6-62-703.
- Property of state institutions, §6-62-601.

Personal identifying information.

- Questionnaires administered in school, parental authorization, §6-18-1303.

Person killed in action.

- Children's scholarships, §6-82-601.

Person killed on ordinance delivery.

- Children's scholarships, §6-82-601.

Person missing in action.

- Children's scholarships, §6-82-601.

Petition.

- Charter schools, §6-23-103.

Planned instructional time.

- Education, §6-18-210.

Point-in-time intervention and remediation.

- Comprehensive, testing, assessment and accountability program, §6-15-419.

Preadvanced placement course.

- Advanced placement program, §6-16-803.

Preparatory instruction.

- VO-TECH training, §6-52-201.

Previous year.

- High cost transportation funding, §6-20-1702.
- School finance act, §6-20-303.

Primary.

- Comprehensive, testing, assessment and accountability program, §6-15-419.

Primary care medicine.

- Rural medical practice student loans and scholarships, §6-81-701.

Primary care nursing.

- Advanced nursing practice and nurse educator student loans and scholarships, §6-81-1201.

Printed instructional materials.

- Electronic versions of instructional materials, §6-68-101.

Prisoner of war.

- Children's scholarships, §6-82-601.

Private career education arbitration panel.

- Vo-Tech schools, §6-51-602.

Probationary employee.

- Public school employee fair hearing act, §6-17-1702.

Probationary teacher.

- Teacher fair dismissal, §6-17-1502.

DEFINED TERMS —Cont'd**Productivity by academic program.**

- Postsecondary institutions, §6-61-222.

Program.

- Advanced placement, §6-16-803.
- Distance learning, §6-47-403.

Program of study.

- Vo-Tech schools, §6-51-602.

Program sponsor.

- Vo-Tech training, §6-52-201.

Project.

- College savings bonds, §6-62-703.
- Postsecondary institutions, §6-61-1002.

Project costs.

- College savings bonds, §6-62-703.
- Postsecondary institutions, §6-61-1002.

Prosecuting authority.

- Education.
- Students, §6-18-222.

Public access computers.

- Education, internet filters, §6-21-111.
- School computer use policy, §6-21-107.

Public educational entities.

- Education, ethics, §6-24-102.
- State board of education, disposition of public property, §6-21-110.

Public school.

- Charter schools, §6-23-103.
- Comprehensive, testing, assessment and accountability program, §6-15-419.
- Questionnaires administered in school, parental authorization, §6-18-1303.

Public school district.

- Education, §6-13-902.
- Questionnaires administered in school, parental authorization, §6-18-1303.

Public school fraternity, sorority or other secret organization or society.

- Education.
- Students, §6-18-601.

Public school in school improvement.

- Comprehensive, testing, assessment and accountability program, §6-15-419.

Public telecommunications.

- Distance learning, §6-47-403.

Pupil.

- Vo-Tech schools, §6-51-602.

Purchase.

- Education.
- School property and supplies, §6-21-301.

DEFINED TERMS —Cont'd**Purchase price.**

Education.

School property and supplies,
§6-21-301.**Purchasing official.**

Education.

School property and supplies,
§6-21-301.**Qualified borrower.**

Student loans, §6-81-101.

Qualified grantee.Tuition assistance for residents
attending certain out-of-state
schools, §6-81-1101.**Qualified higher education
expenses.**Tax-deferred tuition savings program,
§6-84-103.**Qualified provider.**

Energy savings contract, §6-20-405.

Qualified student.Arkansas workforce improvement
grant program, §6-82-1602.

Education, §6-60-202.

Scholarships, §6-82-202.

Qualified withdrawal.Tax-deferred tuition savings program,
§6-84-103.**Questionnaire or survey.**Questionnaires administered in school,
parental authorization,
§6-18-1303.**Real property.**College and university improvements,
§6-71-101.**Receiving district.**

Education.

Finances, §6-20-502.

School districts, annexation and
consolidation, §6-13-1401.**Recipient.**Academic challenge scholarship
program, §6-82-1002.**Reconstitution.**School district fiscal assessment and
accountability, §6-20-1903.**Reconstruction.**Comprehensive, testing, assessment
and accountability program,
§6-15-419.**Registered volunteer.**

Education, §6-22-103.

Related instruction.

VO-TECH training, §6-52-201.

Remediation.Comprehensive, testing, assessment
and accountability program,
§6-15-419.**DEFINED TERMS —Cont'd****Request for proposals.**

School districts.

Energy savings contract, §6-20-405.

Required salary increase.Teacher salary equalization,
§6-17-2103.**Reside.**Unlawful enrollment outside school
district, §6-18-202.**Resident.**Unlawful enrollment outside school
district, §6-18-202.**Residential address.**Unlawful enrollment outside school
district, §6-18-202.**Residential school.**

VO-TECH schools, §6-51-602.

Resident student.High cost transportation funding,
§6-20-1702.**Resulting district.**School districts, annexation and
consolidation, §6-13-1401.**Revenue receipts of a school
district.**

Education.

Finances, §6-20-401.

Route.High cost transportation funding,
§6-20-1702.**Rural community.**Advanced nursing practice and nurse
educator student loans and
scholarships, §6-81-1201.Rural medical practice student loans
and scholarships, §6-81-701.**Rural school.**

Education.

State board of education, §6-11-118.

Satellite campus.Postsecondary education
reorganization, §6-53-103.**Satellite school.**

VO-TECH schools, §6-51-602.

Scholarship.

Governor's scholarships, §6-82-302.

High technology scholarships,
§6-82-401.**School.**

Education.

Finances, §6-20-701.

Students, §6-18-1102.

VO-TECH schools, §6-51-602.

School bus.

Education.

Transportation, §6-19-110.

Safety equipment, §6-19-117.

DEFINED TERMS —Cont'd**School bus —Cont'd**

Use of cell phone while driving school bus, §6-19-120.

School choice students.

High cost transportation funding, §6-20-1702.

School day.

Education curriculum, §6-16-102.

School district.

Education financing, §6-20-701.

School district fiscal assessment and accountability, §6-20-1903.

School district in academic distress.

Comprehensive, testing, assessment and accountability program, §6-15-419.

School district in school improvement.

Comprehensive, testing, assessment and accountability program, §6-15-419.

School employee.

School employees' minimum sick leave, §6-17-1302.

School endorsement.

School property and supplies, §6-21-202.

School lunch program.

Education financing, §6-20-701.

School nurse.

Education.

Students, §6-18-704.

School official.

Civil War reenactments, §6-5-501.

School property and supplies, §6-21-608.

School-owned property, §6-21-608.**School premises.**

School property and supplies, §6-21-608.

School property.

Civil War reenactments, §6-5-501.

Secondary school.

School property and supplies, §6-21-202.

Second-lien bonds.

District school bonds, second-lien commercial bonds, §6-20-1229.

Sending district.

Education.

Finances, §6-20-502.

Service area.

Postsecondary education reorganization, §6-53-103.

Shuttle bus.

High cost transportation funding, §6-20-1702.

DEFINED TERMS —Cont'd**Sick leave.**

School employees' minimum sick leave, §6-17-1302.

Teachers' minimum sick leave, §6-17-1202.

Site-based decision making.

Education, §6-13-1302.

Small high school.

Education.

State board of education, §6-11-118.

Social promotion.

Comprehensive, testing, assessment and accountability program, §6-15-419.

Solicitor.

VO-TECH schools, §6-51-602.

Spare bus.

High cost transportation funding, §6-20-1702.

Special education.

Children with disabilities, §6-41-203.

Special education class unit.

Children with disabilities, §6-41-302.

Specialized format.

Electronic versions of instructional materials, §6-68-101.

Special units.

High cost transportation funding, §6-20-1702.

Specific learning disability.

Children with disabilities, §6-41-103.

Sponsorship.

School property and supplies, §6-21-202.

Starting bonus.

Teachers, national board certification, §6-17-412.

State.

Interstate compacts, §6-4-201.

State board.

School district fiscal assessment and accountability, §6-20-1903.

School districts, annexation and consolidation, §6-13-1401.

State correction employee.

Children scholarships, §6-82-501.

State employee.

Education, §6-3-110.

State equalization funding per student.

School finance act, §6-20-303.

State forestry employee.

Children scholarships, §6-82-501.

State funds.

Education.

Finances, §6-20-502.

DEFINED TERMS —Cont'd**State highway employee.**

Children's scholarships, §6-82-501.

State institution of higher education.

College savings bonds, §6-62-703.

State legal education fund, §6-64-604.**Statement of selective service status, §6-80-104.**

Postsecondary education, §6-80-102.

State parks employee.

Children scholarships, §6-82-501.

State scholarship.

Education, §6-82-202.

State subsidy.

Postsecondary institutions, §6-61-222.

State-supported educational institution.

Existing workforce training act, §6-50-702.

State wealth index.

School finance act, §6-20-303.

Structural integrity.

Electronic versions of instructional materials, §6-68-101.

Student.

VO-TECH schools, §6-51-602.

Student classroom teacher funding.

School finance act, §6-20-303.

Student growth funding.

School finance act, §6-20-303.

Student needs funding.

School finance act, §6-20-303.

Student services program.

Education, §6-18-1005.

Student unit funding.

School finance act, §6-20-303.

Student with disabilities.

Education.

Finances, §6-20-502.

Superintendent of schools.

School districts, §6-13-109.

Supervisor.

Education.

School property and supplies, §6-21-608.

Supplementary instruction.

VO-TECH training, §6-52-201.

Suspension.

Education, §6-18-507.

System institution.

Postsecondary education reorganization, §6-53-103.

Targeted educator.

Teacher salary equalization, §6-17-2103.

Teacher.

Children scholarships, §6-82-501.

Corporal punishment, §6-17-112.

DEFINED TERMS —Cont'd**Teacher —Cont'd**

Education.

Personnel, §§6-17-805, 6-17-902.

Teachers' minimum sick leave, §6-17-1202.

Minimum base salaries, §6-17-1001.

Teacher fair dismissal, §6-17-1502.

Technical college.

Postsecondary education

reorganization, §6-53-103.

Postsecondary institutions, §6-61-1002.

Tech-prep education program.

Postsecondary education

reorganization, §6-53-501.

The technical preparation core curriculum.

Academic challenge scholarships, §6-82-1005.

Total state and local revenue per average daily membership.

School finance act, §6-20-303.

Trainee.

VO-TECH schools, §6-51-602.

Transfer.

Property of state institutions, §6-62-601.

Treatment institution.

Education.

Children with disabilities, §6-41-302.

Tuition.

Academic challenge scholarship program, §6-82-1006.

Academic challenge scholarships, §6-82-1002.

Arkansas workforce improvement grant program, §6-82-1602.

Second effort scholarships, §6-82-1102.

Tuition agreement students.

High cost transportation funding, §6-20-1702.

Undergraduate student.

Governor's scholarships, §6-82-302.

Second effort scholarships, §6-82-1102.

Unemancipated child.

Academic challenged scholarships, §6-82-1002.

Uniform rate of tax.

School finance act, §6-20-303.

Uniform school readiness screening.

Comprehensive, testing, assessment and accountability program, §6-15-419.

Upper-level course.

Postsecondary institutions, §6-61-528.

Upper-level program.

Postsecondary institutions, §6-61-528.

Used school bus, §6-21-306.

DEFINED TERMS —Cont'd**Volunteer.**

Education, §6-22-103.

Vo-Tech.

VO-TECH training, §6-52-201.

Workforce improvement grant.

Adult higher education, §6-82-1602.

Yearly bonus.

Teachers, national board certification,
§6-17-412.

DENTISTS.**Education.**

Out-of-state professional dental
programs.

Repayment of tuition by state of
Arkansas, §§6-81-1103,
6-81-1104.

Tuition assistance for residents
attending out-of-state schools,
§6-81-1101.

University of Arkansas.

School of dental hygiene.

Established, §6-64-411.

DEPARTMENT OF EDUCATION.

See EDUCATION.

**DEPARTMENT OF HIGHER
EDUCATION.**

See UNIVERSITIES AND COLLEGES.

DEPOSITS.**Education.**

School funds, §6-20-222.

DESEGREGATION.**Education.**

Annexation and consolidation of school
districts.

Annexation or consolidation may not
hamper, delay or negatively
affect, §6-13-1408.

DISABLED PERSONS.**Education.**

Education funds for children with
disabilities or foster children,
§§6-20-501 to 6-20-510.

See EDUCATION.

Funds.

Education funds for children with
disabilities or foster children,
§§6-20-501 to 6-20-510.

Universities and colleges.

Immunization of enrollees.

Physical disabilities, §6-60-504.

**Vocational education and
rehabilitation.**

See VOCATIONAL EDUCATION AND
REHABILITATION.

DISCRIMINATION.**Charter schools.**

Impact on school desegregation,
§6-23-106.

Education.

Annexation and consolidation of school
districts.

Annexation or consolidation may not
hamper, delay or negatively
affect desegregation, §6-13-1408.

Charter schools.

Impact on school desegregation,
§6-23-106.

Event or activity held at location that
discriminates, §6-10-114.

Teachers.

Enhancement and retraining grant
program.

Discrimination prohibited,
§6-81-606.

Universities and colleges.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of
subchapter, §6-62-806.

Electronic versions of instructional
materials.

Failure to comply with provisions as
act of discrimination, §6-68-108.

Employees.

Affirmative action programs,
§6-63-103.

DISEASES.**Education.**

Immunization required for children
admitted to school, §6-18-702.

Private schools.

Immunization required, §6-18-702.

Universities and colleges.

Immunization of enrollees, §§6-60-501
to 6-60-504.

See UNIVERSITIES AND
COLLEGES.

Meningococcal disease warning,
§6-61-123.

DISORDERLY HOUSES.

Where prohibited, §6-2-113.

DISTANCE LEARNING.

Demonstration projects, §§6-47-201 to
6-47-305.

See ADVANCED COMMUNICATIONS
AND INFORMATION
TECHNOLOGY.

Development projects, §§6-47-401 to
6-47-405.

See ADVANCED COMMUNICATIONS
AND INFORMATION
TECHNOLOGY.

DISTRICTS.

Agricultural colleges, §§6-65-101 to 6-65-112.

See AGRICULTURAL COLLEGES.

Technical college districts, §§6-53-601 to 6-53-605.

See TECHNICAL COLLEGE DISTRICTS.

Universities and colleges.

Improvement districts, §§6-71-101 to 6-71-142.

See UNIVERSITIES AND COLLEGES.

Vocational education and rehabilitation.

Schools, §6-51-215.

DISTURBING THE PEACE.**Education.**

Persons not students.

Penalty, §6-21-606.

DOOR TO DOOR SALES.

Elementary school fundraising, §§6-18-1101 to 6-18-1105.

See ELEMENTARY SCHOOL FUNDRAISING.

DRESS CODES IN PUBLIC SCHOOLS, §6-18-102.**DRIVERS' LICENSES.**

School bus drivers, §§6-19-106.

Certification, §6-19-108.

Driving records, §6-19-107.

Suspension.

Education.

Excessive unexcused absences.

Suspension of driving privilege, §6-18-222.

DRIVING WHILE INTOXICATED.**District courts.**

Additional costs on conviction of driving while under the influence of intoxicants, §6-17-109.

Disposition of funds, §6-17-109.

DRUG ABUSE.**Education.**

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

DRUG PARAPHERNALIA.**School property and supplies.**

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.

E**EASEMENTS.****Agricultural colleges.**

Arkansas Polytechnic College.

Authority to grant easements, §6-65-305.

EASEMENTS —Cont'd**Agricultural colleges —Cont'd**

Arkansas Polytechnic College —Cont'd Proceeds.

Disposition, §6-65-305.

EAST ARKANSAS COMMUNITY COLLEGE.**President.**

Housing allowance, §6-61-525.

EDUCATION.

ABC program, §§6-45-101 to 6-45-109.

Allocation of funding, §6-45-106.

Application process for funding, §6-45-106.

Certification by department of education, §6-45-109.

Citation of chapter, §6-45-101.

Construction of chapter, §6-45-104.

Criteria for program.

Determining need for program, §6-45-108.

Publication, §6-45-107.

Definitions, §6-45-103.

Establishment, §6-45-105.

Funding availability.

Publication, §6-45-107.

Intent of general assembly, §6-45-102.

Legislative intent, §6-45-102.

Need for program.

Criteria for determining, §6-45-108.

Standards, §6-45-105.

Title of chapter, §6-45-101.

Absences.

Effect of excessive absences, §6-18-209.

Accounts and accounting.

Emergency revolving loan fund account. See within this heading, "Revolving loan fund."

Publicly funded educational institutions.

Reports by independent accountant, §6-1-101.

School lunch program.

Rules and regulations for keeping of accounts, §6-20-704.

Accreditation.

Correspondence schools.

Standards set by state board, §6-11-119.

Actions.

Safety patrols.

No liability for operation of safety patrol, §6-18-802.

School districts.

Defense of district in legal proceeding.

Costs and expenses, §6-13-623.

EDUCATION —Cont'd**Administrators.****Ethics.**

Restrictions on employment,
§6-24-111.

Recruitment plan.

Minority recruitment plan,
§§6-17-1901, 6-17-1902.

Adults.

Arkansas workforce improvement
grant program, §§6-82-1601 to
6-82-1614.

See UNIVERSITIES AND
COLLEGES.

Early childhood and adult education
act.

General provisions. See within this
heading, "Early childhood and
adult education act."

Expenditures for adult education.

Authorized, §6-16-309.

GED testing for adults, §6-16-118.

Maximum age of person admitted to
public school, §6-16-308.

Advanced placement incentive program, §§6-16-801 to 6-16-805.

Advanced placement tests.

Subsidized fee, §6-16-804.

Creation, §6-16-804.

Definitions, §6-16-803.

Funds, §6-16-805.

Grants.

Equipment and instructional
materials, §6-16-804.

Funding for program, §6-16-805.

Intent of act, §6-16-802.

Purpose, §6-16-802.

Rules and regulations, §6-16-804.

Subsidized fee for advanced placement
tests, §6-16-804.

Subsidized teacher training, §6-16-804.

Teachers.

Subsidized training, §6-16-804.

Advertising.

Correspondence schools.

Advertising without registration,
§6-11-119.

Aerospace education center,

§§6-46-201 to 6-46-203.

Funding, §6-46-202.

Location, §6-46-201.

Tuition and fees, §6-46-203.

African-American history.

Program implementation, §6-16-121.

Age.

Maximum age of persons admitted to
public school, §6-16-308.

EDUCATION —Cont'd**Age —Cont'd**

Minimum age for enrollment in public
school or kindergarten, §6-18-207.

Students permitted to attend schools,
§6-18-202.

Alcoholic beverages.

Sales to educational institutions.

Prohibited, §6-2-113.

A-Lift program.

Teacher development, §6-1-202.

American College Test assessment assistance pilot program,

§§6-18-401 to 6-18-408.

Assessment fee waivers, §§6-18-404 to
6-18-407.

Creation, §6-18-404.

Definitions, §6-18-403.

Donations and grants, §6-18-408.

Public policy, §6-18-402.

Public school participation, §6-18-405.

Rulemaking authority, §6-18-404.

Title of act, §6-18-401.

American heritage.

Content-based censorship prohibited,
§6-16-122.

Posting of historical documents in
public schools, §6-16-122.

Annexation.

Quality education act.

Annexation or consolidation of
noncomplying districts,
§§6-15-204, 6-15-207.

Annexation and consolidation of school districts.

Annexation or consolidation may not
hamper, delay or negatively affect,
§6-13-1408.

Fiscal assessment and accountability.

Actions by state board, §6-20-1910.

Appeals.

Annexation and consolidation.

School districts.

Appeal of adverse decision,
§6-13-1410.

Comprehensive, testing, assessment
and accountability program.

Academic distress school
classification, §6-15-428.

County boards of education.

Final orders or decisions, §6-12-307.

Elections.

School elections, §6-14-115.

Handicapped children.

Hearings on child's status,
§6-41-216.

EDUCATION —Cont'd**Appeals —Cont'd**

School districts.

Quality education act.

Failure to meet standards,
§6-15-202.

Schoolhouses.

Self-insurance.

Cancellation of insurance,
§6-20-1506.

Suspension or expulsion of students,
§6-18-507.

Appropriations.

Exceptional children, §6-41-307.

Parents as teachers program.

Local matching funds, §6-10-109.

Arkansas Better Chance Program,
§§6-45-101 to 6-45-109. See within
this heading, "ABC program."**Arkansas laws.**

Target courses, §6-16-123.

**Arkansas school for mathematics,
science and arts, §§6-42-301 to
6-42-307.**

Activities of students, §6-42-304.

Administrator, §6-42-305.

Board of visitors, §6-42-303.

Duties, §6-42-304.

Purposes, §6-42-304.

Department of education regulations,
§6-42-306.

Employees, §6-42-305.

Established, §6-42-301.

Fund, §6-42-307.

Funding, §6-42-304.

Location, §6-42-302.

Purpose, §6-42-302.

Teachers, §6-42-305.

Attendance.

Absences.

Effect of excessive absences,
§6-18-209.

Revocation of driving privileges,
§6-18-222.

Adoption of student attendance
policies, §6-18-209.

Age.

Students permitted to attend
schools, §6-18-202.

Choice of district.

District other than residential
district, §6-18-203.

Community truancy board, §§6-18-225,
6-18-226.

Construction of act, §6-18-213.

Continued attendance of school outside
district of residence, §6-18-205.

EDUCATION —Cont'd**Attendance —Cont'd**

District other than residential district,
§6-18-203.

Exception to compulsory attendance,
§6-18-201.

Excessive unexcused absences.

Penalties, §6-18-222.

Excused absences.

Participation in official FFA and 4-H
programs, §6-18-220.

FHA.

Equal treatment with FFA member
students, §6-18-220.

Excused absences for FHA students,
§6-18-220.

Financial aid.

Attendance as official data for
minimum foundation aid and
transportation aid, §6-18-213.

Fines.

Collection of fines under act,
§6-10-103.

Forms, §6-18-213.

4-H programs.

Legislative intent and purpose,
§6-18-220.

Full school day for high school
students, §§6-18-210, 6-18-211.

Generally, §6-18-201.

High school.

Full day of instruction, §§6-18-210,
6-18-211.

Immunization.

Required for children admitted to
public schools, §6-18-702.

Law enforcement officials.

Operation stay in school, §6-18-221.

Motor vehicles.

Excessive unexcused absences.

Suspension of driving privileges,
§6-18-222.

Official reporting period, §6-18-213.

Operation stay in school.

Implementation of program.

Cooperation of law enforcement
agencies, §6-18-221.

Penalties.

Excessive unexcused absences,
§6-18-222.

False attendance reports, §6-18-219.

Revocation of driving privileges.

Excessive unexcused absences,
§6-18-222.

Prosecuting attorneys.

Prosecution of violators, §6-10-104.

Prosecutions, §6-10-103.

EDUCATION —Cont'd**Attendance —Cont'd****Records.**

Manner of keeping attendance records, §6-18-213.

Teachers to maintain records, §6-18-217.

Reports.

Failure to file report, §6-18-213.

False attendance reports, §6-18-219.
Penalty, §6-18-219.

Filing report on attendance, §6-18-213.

Official reporting period for attendance, §6-18-213.

Residence.

District other than residential district, §6-18-203.

Students permitted to attend schools, §6-18-202.

Rules and regulations.

Promulgation, §6-18-213.

School districts.

Attendance in another district, §§6-18-204, 6-18-205.

Corrections department employees' children or wards.

Transfers of employees among units.

Impact on children's or ward's attendance in district enrolled, §6-18-203.

School performance report act, §§6-15-1401, 6-15-1402.

Separate domicile for school attendance purposes, §6-18-202.

Students in one district attending school in another district.

Construction of act, §6-18-204.

Counting of attendance for aid purposes, §6-18-204.

Eligibility for inter-school activities, §6-18-204.

Enrollment, §6-18-204.

Inter-school activities.

Eligibility, §6-18-204.

Truancy.

Excessive absences.

Effect, §6-18-209.

Revocation or suspension of driving privilege, §6-18-222.

Prosecutors, §§6-10-103, 6-10-104.

Attorneys at law.

School districts.

Legal counsel, §6-13-623.

Audits.

Education service cooperatives, §6-13-1020.

EDUCATION —Cont'd**Audits —Cont'd**

Publicly funded educational institutions, §6-1-101.

School districts.

Failure to file, §6-20-1802.

Filing of reports, §6-20-1801.

Fiscal affairs, §6-12-112.

Ineligible accountants, §6-20-1804.

Questionable reports, §6-20-1803.

Teachers salary law, §6-17-913.

Treasurers, §6-13-701.

Awards.**Ethics.**

Effect, §6-24-113.

Banks.

Deposit of school funds, §6-20-222.

Bids and bidding.**Insurance.**

Public school employees.

Life and disability insurance, §6-17-1109.

School districts.

Purchases of commodities, §6-21-304.

Exemptions from bidding requirements, §6-21-305.

Textbooks. See within this heading, "Textbooks."

Birth certificates.**Pupils.**

Presentation of certificate required, §6-18-208.

Blind persons.

Arkansas institution for advocacy for the blind, §§6-61-115 to 6-61-117.

Exceptional children. See within this heading, "Exceptional children."

School for the blind, §§6-43-201 to 6-43-223.

See BLIND PERSONS.

Boards of education.

County boards of education. See within this heading, "County boards of education."

School districts generally. See within this heading, "School districts."

State board of education. See within this heading, "State board of education."

Bond issues.**Buildings.**

Vocational education and rehabilitation, §6-51-216.

District school bonds.

Advancements for bond payments by county treasurer prior to settlement date, §6-20-1226.

EDUCATION —Cont'd**Bond issues —Cont'd**

District school bonds —Cont'd

Annexation.

Liability of annexing district,
§6-20-1214.

Approval of bond issues, §6-20-1215.

Authority to borrow money,
§6-20-1201.

Authorized bond issues.

Conversion, §6-20-1202.

Building fund.

Act cumulative, §6-20-1210.

Purpose, §6-20-1209.

Separate amount for fund not
shown on tax books,
§6-20-1211.

Separate records by treasurer,
§6-20-1211.

Tax books.

Separate amount for fund not
shown on tax books,
§6-20-1211.

Uses, §6-20-1210.

Warrants on building fund,
§6-20-1210.

Certificates of indebtedness.

Issuance, §6-20-1225.

Compliance with existing statutes,
§6-20-1203.

Conversion of authorized bond
issues, §6-20-1202.

Deeds of trust.

Sale of school property securing
deed of trust, §6-20-1222.

Default.

Priority in case of default.

Resolution setting, §6-20-1212.

Delivery and payment in
installments, §6-20-1207.

Dissolution of district.

Maturity of bonds, §6-20-1214.

Existing statutes.

Bonds to comply, §6-20-1203.

Form of bonds, §6-20-1204.

Funding nonbonded indebtedness.

Issuance of bonds, §6-20-1227.

Installment payments, §6-20-1207.

Interest, §6-20-1206.

Issuance of bonds, §6-20-1228.

Second-lien commercial bonds,
§6-20-1229.

Limitations of bonded indebtedness,
§6-20-1202.

Maturity of bonds.

Dissolution of districts shall not
mature bonds, §6-20-1214.

EDUCATION —Cont'd**Bond issues —Cont'd**

District school bonds —Cont'd

Negotiable coupon bonds.

Authority to issue, §6-20-1201.

Nonbonded indebtedness.

Issuance of bonds for funding,
§6-20-1227.

Payments.

Advancements by treasurer prior
to settlement, §6-20-1226.

Delivery of bonds upon payment,
§6-20-1208.

Duty to pay on maturity,
§6-20-1213.

Failure to pay.

Effect, §6-20-1213.

Installment payments, §6-20-1207.

Remedy to enforce payment,
§6-20-1214.

Penalties.

Charging brokerage fees or
commissions, §6-20-1206.

Recordation, §6-20-1208.

Refunding bonds.

Amount.

Maximum amount, §6-20-1218.

Authorized, §6-20-1216.

Bonds refunded, §6-20-1221.

Certificate of cancellation of
indebtedness, §6-20-1217.

Certification of surrender of old
bond, §6-20-1221.

Conditions, §6-20-1223.

Debt cancellation procedures,
§6-20-1217.

Deeds of trust.

Endorsement on record of deed
of trust, §6-20-1224.

Exchange for outstanding bonds,
§6-20-1218.

Issuance without election,
§6-20-1223.

Payment in full, §6-20-1224.

Records.

Duties of county treasurer,
§6-20-1219.

Sale, §6-20-1218.

Security, §6-20-1223.

Trustee to certify, §6-20-1221.

Validation, §6-20-1220.

Refunding of bonded indebtedness,
§6-20-1228.

Registration, §6-20-1208.

Resolutions.

Priority in case of default.

Setting, §6-20-1212.

EDUCATION —Cont'd**Bond issues —Cont'd****District school bonds —Cont'd****Sale.**

Approval of statement submitted to commissioner prior to bond sale, §6-20-1205.

Brokerage fees or commissions.

Prohibited, §6-20-1206.

Manner and terms, §6-20-1206.

School maintenance and operation.

Authority to issue bonds for, §6-20-1228.

Second-lien commercial bonds, issuance, §6-20-1229.

Security for bonds, §6-20-1204.

Signatures on bonds, §6-20-1204.

Statement of amount proposed to be borrowed.

Approval by commissioner, §6-20-1205.

Tax books.

Extension of school taxes on tax books, §6-20-1211.

Interest.

District school bonds, §6-20-1206.

Refunding bonds.

District school bonds, §§6-20-1216 to 6-20-1218. See within this subheading, "District school bonds."

Revolving loan fund bonds. See within this heading, "Revolving loan fund."

School districts.

Petition for approval, §6-11-109.

Schoolhouses.

Construction aid, §6-20-1402.

Bonds, surety.**School districts.**

Treasurers, §6-13-701.

Books.

Textbooks. See within this heading, "Textbooks."

Boundaries, school districts.

Annexation and consolidation, §§6-13-1401 to 6-13-1410.

Changes by state board of education, §6-13-1210.

Maintenance of records, §6-11-127.

Uncertain boundaries, §6-13-104.

Breakfast program.

School districts, §6-18-705.

Bribery.**Ethics.**

Non-employees, §6-24-110.

Textbooks.

Illegal acts involving school officials, §6-21-410.

EDUCATION —Cont'd**Budgets.**

Penalty for violations, §6-24-120.

School districts.**Directors.**

Powers and duties as to budgets, §6-13-620.

Petition for approval, §6-11-109.

Publication, §6-13-622.

Teachers salary law, §6-17-914.

Buildings.**Bond issues.**

Vocational education and rehabilitation, §6-51-216.

Destruction of property, §6-21-604.

Rent on department of education buildings, §6-10-112.

Bullying, policies to prevent, §6-18-514.

Buses.

School buses, §§6-19-101 to 6-19-119.

See SCHOOL BUSES.

Business and professional integrity.

Courses of study, §6-16-111.

Character and citizenship, §6-16-125.**Charter schools.**

General provisions, §§6-23-101 to 6-23-601.

See CHARTER SCHOOLS.

Choice of public school, §6-18-206.

Citizenship, §6-16-125.

Civil rights protection.

Department of education.

Equity assistance center, §6-10-111.

Civil War reenactments.

Definitions, §6-5-501.

Weapons on school property, §6-5-502.

Committee on closing the achievement gap in Arkansas, §§6-15-1601 to 6-15-1604.

Alternative placements, reporting, §6-15-1604.

At-risk students for academic failure.

Personal education plans, §6-15-1602.

Composution, §6-15-1601.

Dropout rates, reporting, §6-15-1604.

Establishment, §6-15-1601.

Local task forces, establishment, §6-15-1603.

Personal education plans.

At-risk students for academic failure, §6-15-1602.

Powers and duties, §6-15-1601.

Suspensions and expulsions, reporting, §6-15-1604.

Community service.

Academic credit, §6-16-120.

EDUCATION —Cont'd**Community truancy board,**

§§6-18-225, 6-18-226.

Compact for education.

Commissioners.

Bylaws filed with secretary of state,
§6-4-203.Filing bylaws with secretary of
state, §6-4-203.

Meetings, §6-4-202.

Members, §6-4-202.

Successor members, §6-4-202.

Enactment, §6-4-201.

Text, §6-4-201.

Compacts.School districts, §§6-13-801 to
6-13-807. See within this heading,
"School districts."Southern regional education compact,
§§6-4-101 to 6-4-107. See within
this heading, "Southern regional
education compact."**Comprehensive plan for consistency
and rigor in course work,**

§§6-15-1502 to 6-15-1506.

Academic content standards and
curriculum frameworks process.Development of plan for revision,
§6-15-1502.

District implementation, §6-15-1505.

Reporting failure of compliance,
§6-15-1505.Review by department of education,
§6-15-1504.

Rulemaking authority, §6-15-1505.

State-mandated exams, §6-15-1503.

**Comprehensive, testing, assessment
and accountability program,**

§§6-15-401 to 6-15-432.

Academic improvement plans,
§6-15-420.Awards for exceptional performance,
§6-15-421.Basic competency tests generally,
§6-15-407.

Basic skills assessment, §6-15-406.

Citation of subchapter, §6-15-401.

Confidentiality.

Individual test scores not public
record, §6-15-415.

Definitions, §6-15-419.

District evaluation of student
performance and achievement,
§6-15-427.Evaluation of high school grade point
averages and standardized test
scores, §6-15-423.**EDUCATION —Cont'd****Comprehensive, testing, assessment
and accountability program**

—Cont'd

Grade levels.

Testing additional grade levels,
§6-15-414.

Home-schooled students.

Enrollment in local school districts,
§6-15-419.Informal standards of learning,
§6-15-420.Literacy assessment and training,
§6-15-420.Mathematics assessment training,
§6-15-420.Professional development activities,
§6-15-426.

Progress reports, §6-15-422.

Purpose of competency testing
program, §6-15-402.

Rulemaking authority, §6-15-424.

Sanctions for poor performance,
§6-15-421.School improvement, §§6-15-425 to
6-15-427.Schools failing to meet minimum
standards, §§6-15-425, 6-15-426.

Schools in academic distress.

Enforcement action, §6-15-429.

Identification, notification and
classification, §§6-15-425,
6-15-428.Professional development activities,
§6-15-426.

Required action, §6-15-429.

State board of education.

Authority of state board, §6-15-403.

Statistical evaluations, §6-15-423.

Tests.

Analyses, §6-15-415.

Basic competency tests, §6-15-407.

District testing programs, §6-15-427.

Grade levels.

Testing additional grade levels,
§6-15-414.Individual test scores not public
record, §6-15-415.Purpose of competency testing
program, §6-15-402.Test instruments not available to
public, §6-15-415.

Title of subchapter, §6-15-401.

Transition testing.

Generally, §6-15-404.

Waivers, §6-15-404.

EDUCATION —Cont'd**Comprehensive, testing, assessment and accountability program**

—Cont'd

Unsafe school choice program,
§6-15-432.

Compulsory attendance generally.

See within this heading,
“Attendance.”

Computers.

Data processing generally. See within
this heading, “Data processing.”

Internet access, §6-21-107.

Internet filters required, §6-21-111.

Confidentiality of information.

Education funds for handicapped or
foster children.

Confidentiality of records and files,
§6-20-510.

Ethics.

Disclosure of confidential
information, §6-24-104.

Exceptional children.

Handicapped children.

Tests and evaluations.

Results, §6-41-218.

Conflict of laws.

Ethics, §6-24-103.

Conflicts of interest.

Ethics, §§6-24-101 to 6-24-119.

Consolidation.

Quality education act.

Annexation or consolidation of
noncomplying districts
generally, §§6-15-201 to
6-15-207. See within this
heading, “Quality education
act.”

School districts.

Interim personnel policy committee,
§6-17-209.

Constitution of Arkansas.

Amendment 74 rules and regulations,
§6-20-106.

Construction.

Schoolhouses.

Aid for construction of schoolhouses.
See within this heading,
“Schoolhouses.”

Construction and interpretation.

ABC program, §6-45-104.

Equal access, §6-21-203.

Revolving loan fund.

Bond issues, §6-20-1002.

Students living in one district
attending school in another school
district, §6-18-204.

EDUCATION —Cont'd**Contracts.**

Children in institutions.

Contracts for educational services,
§6-11-120.

Exceptional children.

Services for exceptional children,
§6-41-313.

Local and county boards,
§6-41-313.

Military training equipment.

School districts.

Directors.

Power to contract for, §6-21-103.

Personnel policy law for classified
employees.

Distribution of district's personnel
policies, §6-17-2306.

Incorporation into employee
contracts, §6-17-2304.

Publication of district's personnel
policies, §6-17-2306.

School districts.

High school facilities, §6-13-106.

Joint purchase of surplus
government property, §6-13-110.

Military training equipment.

Directors.

Power to contract for, §6-21-103.

Southern regional education compact.

Out-of-state education, §6-4-105.

State board of education.

Special contracts, §6-11-115.

Superintendents.

Employment of superintendents by
contract, §6-17-301.

Penalty for violations, §6-24-120.

Textbooks. See within this heading,
“Textbooks.”

Controlled substances.

Concealing drugs.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline of students, §6-21-608.

Evidence.

Admissibility of evidence obtained,
§6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

EDUCATION —Cont'd**Cooperatives.**

Agency.

Cooperative to act as agency for districts, §6-13-904.

Board of directors, §6-13-905.

Citation of subchapter.

Short title, §6-13-901.

Definitions, §6-13-902.

Directors, §6-13-905.

Education service cooperatives, §§6-13-1001 to 6-13-1025. See within this heading, "Education service cooperatives."

Formation of cooperatives.

Districts authorized, §6-13-903.

Powers, §6-13-903.

Public school district.

Defined, §6-13-902.

Records, §6-13-906.

Reports, §6-13-906.

Title of subchapter, §6-13-901.

Copies.

Southern regional education compact.

Engrossed copy furnished to states, §6-4-103.

Core curriculum, §§6-15-1101, 6-18-104.

Basic core knowledge and skills curriculum, §6-15-1012.

Corporal punishment.

Employees' immunity from liability, §6-17-112.

Reasonable corporal punishment authorized, §6-18-505.

Corporations.

Educational institutions, §§6-2-101 to 6-2-113.

See CORPORATIONS.

Correspondence schools.

Residence and correspondence schools, §§6-51-601 to 6-51-623.

See RESIDENCE AND CORRESPONDENCE SCHOOLS.

Counties.

Funds.

County general school fund. See within this heading, "County general school fund."

County board designees.

Candidacy for public office, §6-12-313.

Duties, §6-12-309.

Employment, §6-12-308.

Failure to perform duties, §6-12-310.

Office, §6-12-314.

Salaries, §6-12-311.

EDUCATION —Cont'd**County boards of education,**

§§6-12-301 to 6-12-314.

Abolishment.

Civil actions against abolished boards.

Limitation of actions, §6-12-116.

Abolition of office.

Revocation of license, §6-17-406.

Appeals of final orders or decisions, §6-12-307.

Attendance generally. See within this heading, "Attendance."

Chair, §6-12-305.

Civil actions against abolished boards.

Limitation of actions, §6-12-116.

Contests of school elections.

Divesting jurisdiction, §6-14-116.

Counties with only one school district.

Members, §6-12-302.

County board designees.

Candidacy for public office, §6-12-313.

Duties, §6-12-309.

Employment, §6-12-308.

Failure to perform duties, §6-12-310.

Office, §6-12-314.

Salaries, §6-12-311.

County school supervisors.

Candidacy for public office, §6-12-313.

Duties, §6-12-309.

Employment, §6-12-308.

Failure to perform duties, §6-12-310.

Office, §6-12-314.

Salaries, §6-12-311.

Creation, §6-12-301.

Duties, §6-12-306.

Employees.

Nepotism, §6-12-312.

Ethics, §6-24-105.

Vacancies, filling, §6-24-117.

Ex officio secretary, §6-12-305.

Final orders or decisions.

Appeals, §6-12-307.

Legislative intent, §6-12-115.

Limitation of actions.

Civil actions against abolished boards, §6-12-116.

Meetings, §6-12-304.

Members, §6-12-301.

Counties with only one school district, §6-12-302.

Nepotism, §6-12-312.

Notice of meetings, §6-12-304.

Oaths, §6-12-303.

Powers, §6-12-306.

Relatives, employment, §6-12-312.

EDUCATION —Cont'd**County boards of education —Cont'd**

School elections.

General provisions. See within this heading, "Elections."

School finance act of 1984.

State contribution to county boards, §6-20-308.

Transfer of records to state board, §6-12-114.

County general school fund.

Apportionment.

Basis, §6-20-216.

Funds of doubtful application, §6-20-217.

Composition of fund, §6-20-215.

County treasurer.

Commission on school funds, §6-20-221.

Federal funds.

Apportionment to counties within national forests, §6-20-218.

County school supervisors.

Candidacy for public office, §6-12-313.

Duties, §6-12-309.

Employment, §6-12-308.

Failure to perform duties, §6-12-310.

Office, §6-12-314.

Salaries, §6-12-311.

County treasurers.

County general school fund, §6-20-221.

School districts. See within this heading, "School districts."

Courses of study, §6-16-103.

Additional subject, §6-16-103.

African-American history, §6-16-121.

Arkansas history, §6-16-124.

Compliance required, §6-16-124.

Course guidelines, §6-16-124.

Basic language of instruction, §6-16-104.

Character and citizenship, §6-16-125.

Education programs information clearinghouse, §6-16-125.

Comprehensive plan for consistency and rigor in course work, §§6-15-1502 to 6-15-1506.

Credit for community service, §6-16-120.

Drugs, §6-61-217.

Early grades foreign language pilot program, §6-16-128.

Evaluation of instructional programs, §6-16-901.

Fish and wildlife conservation instruction, §6-16-1101.

Food-handling safety, §6-16-126.

Instruction materials clearinghouse, §6-16-126.

EDUCATION —Cont'd**Courses of study —Cont'd**

Foreign languages.

Early grades foreign language pilot program, §6-16-128.

Teacher training program, §6-16-127.

Future art and music teacher's pilot program, §6-16-131.

Gun violence prevention week, §6-16-129.

Health education.

Kids-for-health program, §§6-16-1001, 6-16-1002.

Kindergarten.

Readiness testing, §6-16-203.

Skills and knowledge desired, §6-18-105.

Language of instruction, §6-16-104.

Minimum core courses for college prep, §6-61-217.

Morals, manners, patriotism and business and professional integrity, §6-16-111.

Music instruction, §6-16-130.

Future art and music teacher's pilot program, §6-16-131.

Oral health standards, §6-16-1003.

Organ donor awareness education, §6-16-501.

Physical education, §6-16-132.

Racial and ethnic sensitivity program, §6-17-110.

Target courses for teaching Arkansas laws, §6-16-123.

Visual arts, §6-16-130.

Future art and music teacher's pilot program, §6-16-131.

Criminal background checks.

Certified personnel, §6-17-411.

Employees of more than one district, §6-17-416.

Existing noncertified employees, §6-17-415.

Fingerprint or name check, §6-17-417.

Initial employment of certified personnel, §6-17-414.

Teachers, §6-17-410.

Criminal law and procedure.

Contracts and budgets.

Penalty for violations, §6-24-120.

Crimes by students on school property, §6-17-113.

Duty to report student crimes, §6-17-113.

Illegal acts involving school officials, §6-21-410.

EDUCATION —Cont'd**Criminal law and procedure —Cont'd**

- Parental notification of law enforcement actions, §6-18-513.
- School discipline act.
 - Act not to limit or restrict bringing of criminal charges, §6-18-504.

Daily planning periods, §6-17-114.**Data processing.**

- Commission on improving public schools basic skills opportunities through technology.
- Creation, §6-16-402.
- Established, §6-16-402.
- Computer funds approval, §6-11-126.
- Department of education.
 - Data accessible on website, §6-11-129.
- Legislative intent, §6-11-125.
- Public school system computer network advisory council, §6-11-124.
- State board of education.
 - Statewide computer network, §6-11-124.
- Statewide computer network, §6-11-124.
 - Approval of funding, §6-11-126.
 - Legislative intent, §6-11-125.
 - Prior review before purchase or lease of computers, §6-11-128.
- Use of computer technology in the instructional process.
 - Intent of legislature, §6-16-401.
 - Legislative intent, §6-16-401.

Deaf persons.

- Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.
- Exceptional children generally. See within this heading, "Exceptional children."
- School for the deaf, §§6-43-301 to 6-43-319.
- See DEAF PERSONS.

Decision making at local building levels.

- Site-based decision making, §§6-13-1301 to 6-13-1309. See within this heading, "Site-based decision making."

Definitions.

- ABC program, §6-45-103.
- Advanced placement course, §6-15-901.
- Comprehensive, testing, assessment and accountability program, §6-15-419.
- Educational cooperatives, §6-13-902.

EDUCATION —Cont'd**Definitions —Cont'd**

- Education funds for handicapped or foster children, §6-20-502.
- Equal access, §6-21-202.
- Exceptional children, §6-41-302.
 - Handicapped children, §6-41-203.
 - Individual education plan, §6-41-217.
- Fraternity, sorority or secret organization, §6-18-601.
- Governor's scholars program, §6-82-302.
- Handicapped children, §6-41-203.
 - Individual education plan, §6-41-217.
- High-tech scholarship program, §6-82-401.
- Isolated school districts, §6-20-601.
- Learning disabilities.
 - Specific learning disability, §6-41-103.
- Revolving loan fund.
 - Bond issues.
 - Interest.
 - Maximum lawful rate, §6-20-1001.
- School day, §6-16-102.
- School districts.
 - Purchases of commodities, §6-21-301.
- School finance act, §6-20-303.
- Student crime, reporting, §6-17-113.
- Student services program, §6-18-1005.
- Textbooks, §6-21-402.

Delta leadership act.

- Teacher development, §6-1-202.

Delta region.

- Teacher development, §6-1-202.
- Teacher shortages.
 - Identifying areas with critical teacher shortages, §6-1-201.

Dental students.

- Out-of-state professional dental programs.
 - Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Department of education.

- ABC program.
 - Certification, §6-45-109.
- American College Test assessment assistance pilot program, §§6-18-401 to 6-18-408.
- Civil rights protection.
 - Equity assistance center, §6-10-111.
- Civil rights section for school districts.
 - Establishment, §6-10-111.

EDUCATION —Cont'd**Department of education —Cont'd**

Civil rights section for school districts
—Cont'd

Federal civil rights agency.

Liaison with, §6-10-111.

Reports by school districts.

Annual reports, §6-10-111.

Comprehensive plan for consistency
and rigor in course work.

Academic content standards and
curriculum frameworks process,
§6-15-1504.

Division transfer to department
generally, §§6-52-101 to 6-52-105.

See VOCATIONAL EDUCATION
AND REHABILITATION.

Education service cooperatives.

Assignment of agency personnel,
§6-13-1012.

Sharing and coordination of
activities, §6-13-1014.

Equity assistance center, §6-10-111.

Illegal acts involving school officials,
§6-21-410.

Internet website.

Data accessible on website,
§6-11-129.

Office of accountability.

Creation, §6-15-803.

Duties.

General provisions, §6-15-807.

Intent of legislature, §6-15-802.

Obligations of office, §6-15-802.

Reports.

Furnishing of information and
assistance, §6-15-808.

Staff, §6-15-803.

Rural services.

Office of rural services, §6-11-118.

School buses.

Mirrors.

Rules and regulations, §6-19-116.

School finance act.

Funding, §6-20-308.

School performance report act,

§§6-15-1401, 6-15-1402.

School worker defense program,

§§6-17-1113, 6-17-1118.

Teacher development.

Delta region, §6-1-202.

Teacher shortages.

Identifying areas with critical
teacher shortages, §6-1-201.

Department of higher education.

See UNIVERSITIES AND
COLLEGES.

EDUCATION —Cont'd**Deposits.**

School funds, §6-20-222.

Desegregation.

Annexation and consolidation of school
districts.

Annexation or consolidation may not
hamper, delay or negatively
affect, §6-13-1408.

Destruction of property.

Penalty, §6-21-604.

Director of general education. See
within this heading, "State board of
education."

Directors of school districts. See
within this heading, "School
districts."

Discipline.

Corporal punishment.

Employees' immunity from liability,
§6-17-112.

Reasonable corporal punishment
authorized, §6-18-505.

Enrollment during expulsion,
§6-18-510.

Generally, §6-18-501.

Policy.

Adoption and filing by school boards,
§6-18-506.

Time for, §6-18-506.

Guidelines for development of school
district student discipline
policies, §6-18-502.

Revisions, §6-18-506.

Written student discipline policy.

School districts to develop and file,
§6-18-503.

Removal of student by teacher,
§6-18-511.

Responsibility of teachers, §6-18-501.

School discipline act.

Accountability of pupils for conduct,
§6-18-505.

Compliance with act, §6-18-504.

Corporal punishment.

Reasonable corporal punishment
authorized, §6-18-505.

Guidelines for development of school
district discipline policies,
§6-18-502.

Rules and regulations, §6-18-504.

Short title, §6-18-505.

Withholding funds for
noncompliance with act,
§6-18-504.

Written student discipline policies.

School districts to develop and file,
§6-18-503.

EDUCATION —Cont'd**Discipline —Cont'd**

School dismissal act.

General provisions, §6-18-506.

Short title, §6-18-506.

Violation of criminal laws of state.

Act not to limit or restrict,
§6-18-504.

Discrimination.

Desegregation.

Annexation and consolidation of
school districts.

Annexation or consolidation may
not hamper, delay or
negatively affect, §6-13-1408.

Event or activity held at location that
discriminates, §6-10-114.

Diseases.

Immunization required for children
admitted to school, §6-18-702.

Disposition of public property.

Rulemaking authority, §6-21-110.

**Distance learning demonstration
project, §§6-47-201 to 6-47-305.**

See **ADVANCED COMMUNICATIONS
AND INFORMATION
TECHNOLOGY.**

Distance learning development

project, §§6-47-401 to 6-47-405.

Districts.

School districts. See within this
heading, "School districts."

**District school bonds, §§6-20-1201 to
6-20-1229. See within this heading,
"Bond issues."****Disturbing the peace.**

Persons not students.

Penalty, §6-21-606.

Domicile.

Separate domicile for school
attendance purposes, §6-18-202.

**Dress codes in public schools,
§6-18-102.****Drop-out rate.**

School performance report act,
§§6-15-1401, 6-15-1402.

Drug abuse.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

**Early childhood and adult education
act.**

Citation of subchapter.

Short title, §6-16-301.

Consultative services.

Use of available funds, §6-16-305.

Expenditure of moneys.

Limits on, §6-16-304.

EDUCATION —Cont'd**Early childhood and adult education
act —Cont'd**

Federal aid.

State board of education to
administer federal funds,
§6-16-302.

General provisions, §§6-16-301 to
6-16-313.

Gifts, grants and donations.

Acceptance, §6-16-303.

Kindergartens.

General provisions. See within this
heading, "Kindergartens."

Research and demonstration centers.

Funds for, §6-16-305.

Rules and regulations.

Powers of school districts not
limited, §6-16-307.

Title of subchapter.

Short title, §6-16-301.

Early childhood programs.

ABC program, §§6-45-101 to 6-45-109.

See within this heading, "ABC
program."

Early graduation, §6-18-224.**Educational excellence trust fund,**

§§6-5-301 to 6-5-308.

Allocation of funds, §6-5-302.

Classroom teacher salary requirement,
§6-5-307.

Established, §6-5-301.

Funding source, §6-5-301.

Legislative intent, §6-5-308.

Teachers' salaries, §6-5-307.

Transfer of funds, §6-5-302.

**Educational services for visually
impaired, §§6-41-401 to 6-41-406.****Education funds for handicapped or
foster children.**

Children living in foster homes.

Application for funds, §6-20-504.

Defined, §6-20-502.

Confidentiality of records, §6-20-510.

Definitions, §6-20-502.

Federal funds.

Defined, §6-20-502.

Handicapped children.

Defined, §6-20-502.

Refusal by sending district to pay,
§6-20-509.

Request by receiving district for
funds, §6-20-505.

Approval, §6-20-506.

Hearing and ruling by state board,
§6-20-508.

Hearing before hearing officer,
§6-20-507.

EDUCATION —Cont'd**Education funds for handicapped or foster children —Cont'd**

Handicapped children —Cont'd

Request by receiving district for funds —Cont'd

Rejection, §6-20-506.

Hearings.

Handicapped children.

Request by receiving district for funds, §§6-20-507, 6-20-508.

Legislative purpose, §6-20-501.

Local operating funds.

Defined, §6-20-502.

Purpose, §6-20-501.

Receiving districts.

Defined, §6-20-502.

Request for funds, §§6-20-505 to 6-20-508.

Records.

Confidentiality, §6-20-510.

Rules and regulations.

Adoption by state board of education, §6-20-503.

Sending districts.

Defined, §6-20-502.

Refusal to pay, §6-20-509.

State funds.

Defined, §6-20-502.

Education service cooperatives.

Administration, §6-13-1010.

Annual surveys and needs assessments.

Conducting, §6-13-1016.

Audits, §6-13-1020.

Board of directors.

Composition, §6-13-1006.

Meetings, §6-13-1006.

Responsibilities, §6-13-1006.

Boundaries.

Adjustments, §6-13-1003.

Alteration, §6-13-1005.

Establishment, §6-13-1003.

Citation of subchapter, §6-13-1001.

Committees authorized, §6-13-1009.

Contents, §6-13-1003.

Contracts.

Local school districts, §6-13-1018.

Department of education.

Assignment of agency personnel, §6-13-1012.

Sharing and coordination of activities, §6-13-1014.

Designation as local education agencies, §6-13-1026.

Director.

Administration of cooperative, §6-13-1010.

EDUCATION —Cont'd**Education service cooperatives —Cont'd**

Director —Cont'd

Duties, §6-13-1010.

Dissolution, §6-13-1022.

Eligibility for state and federal funds, §6-13-1026.

Established, §6-13-1002.

Request for establishment, §6-13-1004.

Evaluations, §6-13-1021.

Executive committee.

Composition, §6-13-1007.

Election, §6-13-1007.

Functions, §6-13-1007.

Meetings, §6-13-1007.

Functions, §6-13-1002.

Funding, §6-13-1019.

Liaison with post-secondary institutions, §6-13-1015.

Local school districts.

Participation, §6-13-1018.

Mathematics/science center, §6-13-1025.

Number, §6-13-1002.

Personnel.

Agency personnel, §6-13-1012.

Certificate requirements, §6-13-1011.

Employment, §6-13-1011.

Termination, §6-13-1011.

Post-secondary institutions.

Liaison with, §6-13-1015.

Programs.

Based on needs of area, §6-13-1017.

Reports, §6-13-1020.

Evaluations, §6-13-1021.

Revolving loan fund.

Loans to cooperatives, §6-20-818.

Rules and regulations, §6-13-1013.

Shared educational programs and services, §6-13-1017.

State and federal funds, eligibility, §6-13-1026.

State board of education.

Policies, rules and regulations, §6-13-1013.

Teacher center.

Committee, §6-13-1008.

Established, §6-13-1008.

Purpose, §6-13-1008.

Technology training center, §6-13-1023.

Terms of office, §6-13-1007.

Title of subchapter, §6-13-1001.

Elections.

Compensation of officials, §6-14-119.

EDUCATION —Cont'd**Elections —Cont'd**

School elections.

Advertising.

Notice of elections, §6-14-109.

Annexation of districts, §6-14-122.

Appeals, §6-14-115.

Applicability of general election laws, §6-14-101.

Ballots, §6-14-111.

Secret ballot, §6-14-110.

Write-in candidates, §6-14-111.

Candidates.

Ballots.

Names on ballots, §6-14-111.

Canvass of votes, §6-14-115.

Consolidation of districts, §6-14-122.

Contests, §6-14-116.

Jurisdiction of circuit court,
§6-14-116.

Procedure, §6-14-116.

Time for contests, §6-14-116.

Counting votes, §6-14-114.

County boards of education.

Vesting of jurisdiction, §6-14-116.

Date of annual election, §6-14-102.

Directors.

Election in rural school districts,
§6-14-120.

Term of office, §6-14-120.

Election kits, §6-14-113.

Distribution to commissioners,
§6-14-113.

Payment of costs, §6-14-113.

Quantity, §6-14-113.

Time of distribution, §6-14-113.

Expenses, §6-14-118.

Merger of districts, §6-14-122.

Notice, §6-14-109.

Polling places.

Identification, §6-14-106.

Polling places, §6-14-105.

Purpose of act, §6-14-116.

Qualifications of voters, §6-14-108.

Returns, §6-14-115.

School fund.

Payment of expenses from,
§6-14-118.

Secret ballot, §6-14-110.

Special elections.

Calling, §6-14-104.

By county board of election,
§6-14-104.

Order of county court, §6-14-105.

Petitions, §6-14-105.

Submission of questions to
electorate, §6-14-104.

When held, §6-14-104.

EDUCATION —Cont'd**Elections —Cont'd**

School elections —Cont'd

Tie vote, §6-14-121.

Voters.

Qualification, §6-14-108.

Votes.

Counting votes, §6-14-114.

Tie votes, §6-14-121.

When held, §6-14-102.

Elective or appointive offices.

Public school district policy, §6-17-115.

State policy, §6-17-115.

Elementary school fundraising,

§§6-18-1101 to 6-18-1105.

See ELEMENTARY SCHOOL
FUNDRAISING.**Emergencies.**

First aid personnel, §6-17-102.

Emergency purchases.

Ethics, §6-24-109.

Eminent domain.

School districts.

Power granted school districts,
§6-13-103.**Employees.**Absence due to injury from assault,
§6-17-1308.

Certificate of health, §6-17-101.

Classified personnel's salaries.

Arkansas study commission,
§6-17-808.Classified school employee minimum
salary act, §§6-17-2201 to
6-17-2205.

Citation of act, §6-17-2201.

Defined terms, §6-17-2202.

Determination of work hours.

Paid breaks for certain classified
employees, §6-17-2204.

Rulemaking authority, §6-17-2204.

Minimum salary, §6-17-2203.

Short title, §6-17-2201.

Committee on personnel policies,
§§6-17-2303, 6-17-2305.

Contract renewal.

Nonrenewal of full-time
nonprobationary employee's
contract.

Fair hearing law.

Generally. See within this
subheading, "Fair hearing
law."

Criminal misconduct.

Investigating allegations of,
§6-17-407.

Ethics, §6-24-107.

EDUCATION —Cont'd**Employees —Cont'd**

Examinations.

Physical examinations, §6-17-101.

Fair hearing law.

Citation of subchapter, §6-17-1701.

Definitions, §6-17-1702.

Hearings generally, §§6-17-1704, 6-17-1705.

Immediate suspension of employee.

Hearing, §6-17-1704.

Notice requirement, §6-17-1704.

Nonrenewal of full-time nonprobationary employee's contract.

Hearing, §6-17-1705.

Notice requirement, §6-17-1703.

Termination of employee.

Hearing, §6-17-1704.

Notice requirements, §6-17-1703.

Title of subchapter, §6-17-1701.

Health.

Penalty for violations of act, §6-17-101.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

Incorporation of personnel policies into teachers' contracts, §6-17-204.

Insurance. See within this heading, "Insurance."

Leave of absence.

Injury to assault, §6-17-1308.

Licenses.

Revocation of license of superintendents and supervisors, §6-17-406.

Penalties.

Health requirements.

Penalty for violations of act, §6-17-101.

Personnel policies.

Accreditation of district.

Written policies required for, §6-17-207.

Committee.

Composition, §6-17-203.

Duties, §6-17-205.

Election of members, §6-17-203.

Organization, §6-17-205.

Copies.

Furnished to teachers and administrators, §6-17-206.

Exceptions to provisions, §6-17-202.

EDUCATION —Cont'd**Employees —Cont'd**

Personnel policies —Cont'd

Incorporation into teachers' contracts, §6-17-204.

Sick leave. See within this subheading, "Sick leave."

Written policies required, §6-17-201.

Personnel policy law for classified employees, §§6-17-2301 to 6-17-2306.

Applicability of provisions, §6-17-2302.

Classifications of classified personnel, §6-17-2301.

Committee on personnel policies, §§6-17-2303, 6-17-2305.

Election of committee members, §6-17-2303.

Establishment, §6-17-2301.

Inapplicability of provisions, §6-17-2302.

Incorporation into employee contracts, §6-17-2304.

Salaries.

Classified school employee minimum salary act, §§6-17-2201 to 6-17-2205.

Generally. See within this heading, "Salaries."

School cafeteria employees.

Health requirements, §6-17-101.

Sick leave.

Accumulation, §6-17-1305.

Administering sick leave.

Policies and regulations, §6-17-1303.

Amount of leave, §6-17-1304.

Credits.

Unused leave, §6-17-1307.

Definitions, §6-17-1302.

Immediate family.

Defined, §6-17-1302.

More liberal sick leave policy authorized, §6-17-1306.

Policy, §6-17-1306.

Records.

Required, §6-17-1305.

Regulations for administering sick leave, §6-17-1303.

Short title, §6-17-1301.

Title, §6-17-1301.

Unused leave, §6-17-1307.

Use of sick leave, §6-17-1304.

State board of education. See within this heading, "State board of education."

EDUCATION —Cont'd**Employees —Cont'd**

Suspension.

Immediate suspension.

Fair hearing law.

Generally. See within this subheading, "Fair hearing law."

Termination.

Fair hearing law.

Generally. See within this subheading, "Fair hearing law."

Tuberculosis.

Certificate of health, §6-17-101.

Workers' compensation.

Awards.

Notification of award, §6-17-1405.

Coverage, §6-17-1401.

Exclusive jurisdiction vested in commission, §6-17-1402.

Federal funds.

Transfer of available funds, §6-17-1405.

Forms, §6-17-1404.

Method of financing coverage, §6-17-1403.

Reports.

Filing by school district officials, §6-17-1404.

Rulemaking power vested in commission, §6-17-1402.

English.

Basic language of instruction, §6-16-104.

Equal access.

Citation of subchapter, §6-21-201.

Construction and interpretation, §6-21-203.

Definitions, §6-21-202.

Denial of equal access.

Prohibited, §6-21-204.

Open forum.

Limited open forum, §6-21-205.

Fair opportunity, §6-21-206.

Prohibited acts.

Denial of equal access, §6-21-204.

Title of subchapter, §6-21-201.

Equalizing funds.

School finance act, §§6-20-301 to 6-20-327. See within this heading, "School finance act."

Ethics, §§6-24-101 to 6-24-119.

Administrative remedies, §6-24-114.

Administrators, §6-24-106.

Restrictions on employment, §6-24-111.

EDUCATION —Cont'd**Ethics —Cont'd**

Awards.

Effect, §6-24-113.

Boards of education, §6-24-105.

Vacancies, filling, §6-24-117.

Bribery.

Non-employees, §6-24-110.

Compliance.

Enforcement, §6-24-118.

Requests for review of transactions, §6-24-116.

Confidential information, disclosure, §6-24-104.

Conflict of laws, §6-24-103.

Criminal penalties, §6-24-115.

Defined terms, §6-24-102.

Emergency purchases, §6-24-109.

Employees, §6-24-107.

Enforcement, §6-24-118.

General policy, §6-24-101.

Grants.

Effect, §6-24-113.

Gratuities, §6-24-112.

Intent, §6-24-101.

Kickbacks, §6-24-112.

Nepotism.

Effect, §6-24-106.

Non-employees, §6-24-110.

Policy of state, §6-24-101.

Prereview of transactions, §6-24-116.

Prohibited conduct, §6-24-104.

Reimbursement of expenses.

Effect of chapter, §6-24-108.

Remedies.

Administrative remedies, §6-24-114.

Reprimands.

Administrative remedies, §6-24-114.

Requests for review of transactions, §6-24-116.

Rulemaking authority, §6-24-119.

School boards, §6-24-105.

School district treasurers, §6-24-106.

Restrictions on employment, §6-24-111.

Superintendents, §6-24-106.

Restrictions on employment, §6-24-111.

Suspension or revocation of licenses.

Administrative remedies, §6-24-114.

Evaluation of instructional programs.

Legislative findings, §6-16-901.

Procedures, §6-16-901.

Evidence.

Concealing guns and drugs in school property.

Admissibility of evidence obtained, §6-21-608.

EDUCATION —Cont'd**Evidence —Cont'd**

- Director of general education.
- Documents filed in office of director,
§6-11-117.

Excellence in education.

- Educational excellence trust fund,
§§6-5-301 to 6-5-308, 19-5-942. See
within this heading, "Educational
excellence trust fund."

Exceptional children.

- Admission to services.
- Eligibility requirements, §6-41-310.
- Appropriations, §6-41-307.
- Average daily attendance.
- Reports, §6-41-312.
- Board.
- Contracts for services, §6-41-313.
- Supervision of programs, §6-41-303.
- Classes in treatment institutions,
§6-41-306.
- Contracts.
- Services for exceptional children,
§6-41-313.
- Local and county boards,
§6-41-313.
- Courses of study, §6-41-309.
- Definitions, §6-41-302.
- Early education for children with
hearing defects.
- Additional special services to
handicapped in nonpublic
schools, §6-41-101.
- Eligibility for services, §6-41-310.
- Expenditures.
- Accounts, §6-41-312.
- Extended year program.
- Department of education authorized
to develop guidelines, §6-41-102.
- Gifted and talented children.
- Advisory council, §6-42-104.
- Appointment of members,
§6-42-104.
- Composition, §6-42-104.
- Duties, §6-42-104.
- Established, §6-42-104.
- Expenses of members, §6-42-104.
- Number of members, §6-42-104.
- Officers, §6-42-104.
- Cooperation with other agencies,
§6-42-107.
- Department of education.
- Disbursing agency for federal
funds, §6-42-105.
- Office for the education of gifted
and talented children.
- Generally, §6-42-103.
- Eligibility for programs, §6-42-106.

EDUCATION —Cont'd**Exceptional children —Cont'd**

- Gifted and talented children —Cont'd
- Federal aid.
- Disbursing agency for federal
funds, §6-42-105.
- Funding of programs, §6-42-106.
- Summer residential and day
programs, §6-42-108.
- Legislative declaration.
- Policy of state, §6-42-101.
- Office for the education of gifted and
talented children.
- Administrator, §6-42-103.
- Established, §6-42-103.
- Policy of state, §6-42-101.
- Reports, §6-42-102.
- School districts, §6-42-109.
- Rules and regulations, §6-42-102.
- State board of education.
- Cooperation with other agencies,
§6-42-107.
- Powers, §6-42-102.
- Rules and regulations, §6-42-102.
- Summer residential and day
programs, §6-42-108.
- Handicapped children.
- Additional special services to
handicapped in nonpublic
schools, §6-41-101.
- Admission to special services.
- Eligibility requirements,
§6-41-214.
- Advisory council.
- Appointment, §6-41-211.
- Composition, §6-41-211.
- Approval of facilities, §6-41-212.
- Board.
- Providing of educational
programs, §6-41-207.
- State agency to receive and
disburse federal funds,
§6-41-221.
- Change of child's status, §6-41-216.
- Citation of act, §6-41-201.
- Classes.
- Joint classes between school
districts, §6-41-220.
- Contracts.
- Authority of board to contract for
services, §6-41-208.
- Definitions, §6-41-203.
- Individual education plan,
§6-41-217.
- Diagnostic services.
- Providing, §6-41-209.
- Eligibility requirements.
- Determination, §6-41-214.

EDUCATION —Cont'd**Exceptional children —Cont'd**

Handicapped children —Cont'd

Evaluation of children, §6-41-215.

Confidentiality of results,
§6-41-218.List of children examined,
§6-41-218.

Private schools, §6-41-219.

Expenditures.

Equality in expenditures,
§6-41-220.

Extended year program, §6-41-102.

Facilities.

Approval, §6-41-212.

Federal funds.

Board designated as state agency
to receive, §6-41-221.Plans and procedure for
disbursement, §6-41-221.Funds, §§6-20-501 to 6-20-510. See
within this heading, "Education
funds for handicapped or foster
children."

Hearings.

Change of child's status,
§6-41-216.Individual education plan,
§6-41-217.

Legislative declaration, §6-41-202.

Legislative intent, §6-41-205.

Policy of state, §6-41-202.

Private schools.

Testing and evaluation of children
in, §6-41-219.

Program of education.

Duties of board, §6-41-207.

Providing for education, §6-41-205.

Reports, §6-41-223.

Authority of board to require,
§6-41-207.Responsibility for free public
education, §6-41-206.

Rules and regulations.

Promulgation, §6-41-207.

School districts.

Joining together to establish
classes, §6-41-220.

Separate schooling.

Circumstances where allowed,
§6-41-204.Not to be used when possible,
§6-41-204.

Short title of act, §6-41-201.

Term of office, §6-41-211.

Duties, §6-41-211.

Qualifications of members,
§6-41-211.**EDUCATION —Cont'd****Exceptional children —Cont'd**

Handicapped children —Cont'd

Term of office —Cont'd

Vacancies in office, §6-41-211.

Testing of children, §6-41-215.

List of children tested, §6-41-218.

Private schools, §6-41-219.

Results confidential, §6-41-218.

Learning disabilities.

Identification of children with
specific learning disabilities,
§6-41-103.

Methods of instruction, §6-41-309.

Program of education.

Participation by school districts,
§6-41-304.

Procedures, §6-41-304.

Supervision, §6-41-303.

Purpose of act, §6-41-301.

Reports.

Average daily attendance, §6-41-312.

Gifted and talented children,
§§6-42-102, 6-42-109.

Rules and regulations.

Gifted and talented children,
§6-42-102.

Promulgation, §6-41-303.

School districts.

Cooperation among school districts,
§6-41-305.

Participation in program.

Applications, §6-41-304.

Procedures, §6-41-304.

Section for the education of
exceptional children.Establishment in department of
education, §6-41-210.

Task force, §6-41-504.

Duties.

Policies and procedures,
§6-41-502.

Rules and regulations, §6-41-503.

Established, §6-41-501.

Members, §6-41-501.

Policies and procedures, §6-41-502.

Rules and regulations, §6-41-503.

Teachers.

Qualifications, §6-41-309.

Treatment institutions.

Classes in, §6-41-306.

Defined, §6-41-302.

Visually impaired students.

Assessment of student progress,
§6-41-403.

Braille instruction, §6-41-404.

Compliance with act required,
§6-41-406.

EDUCATION —Cont'd**Exceptional children —Cont'd**

Visually impaired students —Cont'd

Definitions, §6-41-402.

Electronic textbooks, §6-41-405.

General provisions, §§6-41-401 to 6-41-406.

Legislative findings, §6-41-401.

Scope of act, §6-41-401.

Student progress, §6-41-403.

Textbooks generally, §6-41-405.

Violations of act, §6-41-406.

Expulsion, §6-18-507.

Enrollment during expulsion, §6-18-510.

Eye protection, §6-10-113.

Universities and colleges, §6-61-108.

Vocational and technical schools, §6-51-102.

Faculty involvement program, §6-63-502.**Fair dismissal of teachers, §§6-17-1501 to 6-17-1510.**

See TEACHERS.

Fair hearing law, §§6-17-1701 to 6-17-1705. See within this heading, "Employees."**Federal aid.**

Acceptance, §6-11-113.

Children in institutions.

Qualifications for federal benefits, §6-11-120.

Early childhood and adult education act.

State board of education to administer federal funds, §6-16-302.

Exceptional children.

Gifted and talented children.

Disbursing agency for federal funds, §6-42-105.

Handicapped children, §6-41-221.

School districts.

Interest-free loans from federal agencies.

Acceptance by school district, §6-20-411.

School lunch program. See within this heading, "School lunch program."

State board of education.

Designated as agency to receive and administer, §6-11-114.

Early childhood and adult education act, §6-16-302.

State treasurer.

Trustee for funds, §6-11-113.

Federal turnback funds, §6-20-224.**EDUCATION —Cont'd****Fees.**

Advanced placement tests.

Subsidized fees, §6-16-804.

Summer school programs, §6-16-702.

Felonies.

School districts.

Directors.

Conviction of felony creates vacancy, §6-13-612.

Financial aid.

Attendance.

Official data for minimum foundation aid and transportation aid, §6-18-213.

Fines.

Attendance.

Disposition of fines collected under act, §6-10-103.

Contracts and budgets.

Penalty for violations, §6-24-120.

Illegal acts involving school officials, §6-21-410.

Fire marshal program, §6-10-110.**Fires and fire prevention.**

Closing of schools for breaks.

Fire hazards inspection prior to, §6-21-106.

Fire marshal program, §6-10-110.

First aid.

Emergency first aid personnel required, §6-17-102.

Fiscal distress.

School districts, §6-20-413.

Fiscal year.

School fiscal year for state, §6-20-410.

Fish and wildlife conservation instruction, §6-16-1101.**Flags.**

American flag.

Furnished schools, §6-16-105.

Instruction of pupils, §6-16-105.

Arkansas flag.

Display by public schools, §6-16-106.

Procurement by public schools, §6-16-106.

Food-handling safety, §6-16-126.

Instructional materials clearinghouse, §6-16-126.

Foreign languages.

Early grades foreign language pilot program, §6-16-128.

Teacher training program, §6-16-127.

Foster children.

Funds for handicapped or foster children, §§6-20-501 to 6-20-510.

See within this heading,

"Education funds for handicapped or foster children."

EDUCATION —Cont'd**Four-day school week**, §6-10-117.**4-H programs.**Excused absences for participation,
§6-18-220.**Fraternities.**

Defined, §6-18-601.

Exemptions, §6-18-604.

Expulsion of members, §6-18-605.

High school orders.

Reference to in publications
unlawful, §6-18-607.

Newspapers.

Reference to secret high school
orders, §6-18-607.

Penalties.

Violation of chapter, §6-18-602.

Pledges.

Soliciting unlawful, §6-18-606.

Prohibited, §6-18-603.

Suspension of members, §6-18-605.

Violation of chapter.

Penalties, §6-18-602.

Fraud.

School districts.

Treasurers.

Penalty for fraudulent use of
funds, §6-13-701.

Warrants for the payment of money.

Fraudulent issuance, §6-20-407.

Free textbooks act, §§6-21-401 to
6-21-413. See within this heading,
"Textbooks."**Funds.**County general school fund. See
within this heading, "County
general school fund."Educational excellence trust fund,
§§6-5-301 to 6-5-308, 19-5-402. See
within this heading, "Educational
excellence trust fund."Electronic warrants transfer system,
§6-20-103.Emergency revolving loan fund
account. See within this heading,
"Revolving loan fund."

Equalizing funds.

School finance act, §§6-20-301 to
6-20-327. See within this
heading, "School finance act."Foster children, §§6-20-501 to
6-20-510. See within this heading,
"Education funds for handicapped
or foster children."Handicapped or foster children,
§§6-20-501 to 6-20-510. See within
this heading, "Education funds for
handicapped or foster children."**EDUCATION —Cont'd****Funds —Cont'd**

History textbook revolving fund.

Establishment, §6-20-205.

Home-schooled students.

Ineligibility for local, state or federal
funds, §6-15-507.

Land sales fund, §6-20-202.

Motor vehicles.

Self-insurance.

School vehicle insurance reserve
trust fund, §6-21-710.

Petty cash fund, §6-20-409.

Public school fund. See within this
heading, "Public school fund."Revolving loan fund. See within this
heading, "Revolving loan fund."

School districts.

Activity funds, §6-13-701.

Building fund, §§6-20-1209 to
6-20-1211. See within this
heading, "School districts."School finance act, §§6-20-301 to
6-20-327. See within this heading,
"School finance act."

Schoolhouses.

Self-insurance. See within this
heading, "Schoolhouses."

Warrants.

Electronic transfer system,
§6-20-103.**Future art and music teacher's pilot
program**, §6-16-131.**Future Farmers of America.**Excused absences for participation,
§6-18-220.**GED testing for adults**, §6-16-118.**Gifted and talented children**,
§§6-42-101 to 6-42-109. See within
this heading, "Exceptional children."**Gifts.**Early childhood and adult education
act.Acceptance of gifts, grants and
donations, §6-16-303.

School districts.

Public recreation and playgrounds.
Acceptance of gifts and bequests,
§6-21-503.

School lunch program.

Acceptance, §6-20-706.

Textbooks.

Illegal acts involving school officials,
§6-21-410.**Governor's scholars program.**

Academic ability.

Defined, §6-82-302.

Administration of program, §6-82-304.

EDUCATION —Cont'd**Governor's scholars program****—Cont'd**

- Allocation of scholarships, §6-82-311.
- Amount of scholarships, §6-82-312.
- Approved institutions.
 - Defined, §6-82-302.
- Arkansas governor's distinguished scholars.
 - Designation of students as, §6-82-306.
 - Recipients known as, §6-82-305.
- Arkansas governor's scholars.
 - Recipients known as, §6-82-305.
- Award of scholarships, §6-82-309.
- Baccalaureate degree.
 - Scholarships not to be utilized for purposes beyond, §6-82-310.
- Creation of program, §6-82-303.
- Definitions, §6-82-302.
- Department of higher education.
 - Administration of program, §6-82-304.
- Award of scholarships.
 - Manner to be determined by department, §6-82-309.
 - Defined, §6-82-302.
- Determinations by legislature, §6-82-301.
- Duration of scholarships, §6-82-311.
- Eligibility for award, §6-82-306.
- Eligible student.
 - Defined, §6-82-302.
- Establishment of program, §6-82-303.
- Examinations.
 - Competitive examination.
 - Defined, §6-82-302.
- Full-time student.
 - Defined, §6-82-302.
- Geographic distribution of scholarships, §6-82-308.
- Legislative declaration, §6-82-301.
- Maximum amount of scholarships, §6-82-312.
- Number of scholarships, §6-82-308.
- Qualifications of applicants, §6-82-306.
- Refunds, §6-82-314.
- Renewal of scholarships, §6-82-311.
- Responsibility of applicants, §6-82-307.
- Rules and regulations.
 - Responsibilities of applicant, §6-82-307.
- Termination of scholarships, §6-82-313.
- Term of scholarships, §6-82-311.
- Undergraduate student.
 - Defined, §6-82-302.
- Use of scholarship, §6-82-310.

EDUCATION —Cont'd**Governor's scholars program****—Cont'd**

- Withdrawal from school.
 - Refund, §6-82-314.
- Grading scale.**
 - Uniform scale for public schools.
 - Advanced placement course.
 - Defined, §6-15-901.
 - Exemptions, §6-15-902.
 - Special education classes, §6-15-902.
 - Table, §6-15-902.
- Graduation.**
 - Districts to keep records of students leaving school without graduating, §6-18-214.
 - Excessive absences.
 - Basis for denial of promotion or graduation, §6-18-209.
 - Quarterly reports, §6-18-214.
 - School performance report act, §§6-15-1401, 6-15-1402.
- Grants.**
 - Advanced placement incentive program, §6-16-804.
 - Funding for program, §6-16-805.
- Ethics.**
 - Effect, §6-24-113.
- Teacher and administrator enhancement and retraining grant programs, §§6-81-601 to 6-81-606.
 - See TEACHERS.
- Gratuities.**
 - Ethics, §6-24-112.
- Grievance procedure.**
 - Dispute resolution process, §6-17-208.
 - Duties of school districts, §6-17-208.
 - Group grievance, §6-17-208.
- Guidance programs.**
 - One-half time guidance programs.
 - Authorized, §6-20-102.
 - State aid, §6-20-102.
- Gun violence prevention week.**
 - Courses of study, §6-16-129.
- Hand-held laser pointers.**
 - Student possession.
 - Seizure of, §6-18-512.
- Handicapped persons.**
 - Education fund for handicapped or foster children, §§6-20-501 to 6-20-510. See within this heading, "Education funds for handicapped or foster children."
 - Exceptional children. See within this heading, "Exceptional children."
- Harassment, policies to prevent,** §6-18-514.

EDUCATION —Cont'd**Hazing.**

General provisions, §§6-5-201 to 6-5-204.

See HAZING.

Headstart program.

Generally. See within this heading, "ABC program."

Health.

Employees.

Certificate of health, §6-17-101.

Immunization required, §6-18-702.

Physical examinations, §6-18-701.

School-based health clinic, §6-18-703.

Health education.

Kids-for-health program, §§6-16-1001, 6-16-1002.

Hearings.

Fair hearing law, §§6-17-1701 to 6-17-1705. See within this heading, "Employees."

Quality education act.

Development of regulations and standards, §6-15-202.

Henderson State University,

§§6-66-101 to 6-66-113.

See HENDERSON STATE UNIVERSITY.

Higher education awareness program.

Business interaction, §6-5-404.

Citation of act, §6-5-401.

Cooperation with program, §6-5-404.

Development, §6-5-403.

Goals of act, §6-5-402.

Legislative findings, §6-5-402.

Scope of program, §6-5-403.

Short title, §6-5-401.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

High schools.

American College Test assessment assistance pilot program, §§6-18-401 to 6-18-408.

Breakfast program, §6-18-705.

Enrollment of high school students as part-time students in institutions of higher education, §6-60-202.

Noncredit remedial courses, §6-20-223.

Quality education act.

Combination of high school programs in adjoining districts, §6-15-207.

Salutatorian.

Qualifications, §6-18-101.

EDUCATION —Cont'd**High schools —Cont'd**

School districts.

Contracts for high school facilities, §6-13-106.

School performance report act, §§6-15-1401, 6-15-1402.

Valedictorian.

Qualifications, §6-18-101.

Vocational-technical high schools, §6-16-306.

High technology training center.

Administration generally, §6-46-302.

Budget, §6-46-303.

Chief administrative officer.

Appointment, §6-46-401.

Generally, §6-46-401.

Creation, §6-46-101.

Employees generally, §6-46-402.

Funding, §6-46-303.

Generally, §§6-46-101, 6-46-102.

Operations generally, §§6-46-501, 6-46-502.

Purpose, §6-46-102.

Rules and regulations, §6-46-302.

Teachers, §6-46-402.

Technical assistance, §6-46-501.

Training contracts.

Generally, §6-46-304.

Private enterprise, §6-46-304.

High-Tech scholarship program.

Academic ability.

Defined, §6-82-401.

Administration, §6-82-403.

Allocation of scholarships, §6-82-409.

Amount of scholarships, §6-82-408.

Applications.

Requirements, §6-82-405.

Approved high technology program.

Defined, §6-82-401.

Approved institutions.

Defined, §6-82-401.

Award of scholarships, §6-82-406.

Number of scholarships, §6-82-407.

Citation of program, §6-82-402.

Created, §6-82-402.

Definitions, §6-82-401.

Division.

Authority, §6-82-403.

Award of scholarship.

Manner to be determined by division, §6-82-406.

Defined, §6-82-401.

Duration of scholarships, §6-82-409.

Eligibility for scholarship, §6-82-404.

Established, §6-82-402.

Full-time student.

Defined, §6-82-401.

EDUCATION —Cont'd**High-Tech scholarship program —Cont'd**

- Maximum amount of scholarships, §6-82-408.
- Number of scholarships, §6-82-407.
- Refunds, §6-82-410.
- Renewal of scholarships, §6-82-409.
- Responsibility of applicant, §6-82-405.
- Scholarship.
 - Defined, §6-82-401.
 - Term of scholarships, §6-82-409.
 - Withdrawal from school.
 - Refunds, §6-82-410.

Historical documents.

- Content-based censorship prohibited, §6-16-122.
- Posting in public schools, §6-16-122.

History.

- Arkansas history, §6-16-124.
- Compliance required, §6-16-124.
- Course guidelines, §6-16-124.

History textbook.

- Publication and sale, §6-20-205.
- Revolving fund.
 - Fund established within public school fund, §6-20-205.

Holidays.

- Patriotic observances, §6-16-107.

Home instruction program for preschool youngsters (HIPPY).

- Generally. See within this heading, "ABC program."

Home-schooled students.

- Comprehensive, testing, assessment and accountability program.
 - Enrollment or in local school districts, §6-15-419.
- Defined, §6-15-501.
- Expelled public schools students.
 - Ineligibility for enrollment, §6-15-503.
- Funds.
 - Ineligibility for local, state or federal funds, §6-15-507.
- Notice of intent to provide home schooling, §6-15-503.
- Prerequisites, §6-15-503.
- Rules and regulations, §6-15-502.
- Sex offenders.
 - Home schooling prohibited in home with registered sex offender, §6-15-508.
- State board of education.
 - Rules and regulations, §6-15-502.
- Suspended public school students.
 - Ineligibility for enrollment, §6-15-503.

EDUCATION —Cont'd**Home-schooled students —Cont'd****Tests.**

- Annual achievement tests, §6-15-504.

Illegal acts involving school officials, §6-21-410.**Immunity.**

- Reporting student drug abuse.
 - Immunity from civil liability, §6-17-107.

Immunization.

- Enforcement, §6-18-702.
- Exceptions, §6-18-702.
- Penalty for violation, §6-18-702.
- Required, §6-18-702.

Injury to schoolhouse or fixtures.

- Penalties, §6-21-605.

Inspections.

- Fire hazards inspection prior to closing for breaks, §6-21-106.

Institutions.

- Children in institutions.
 - Federal benefits, §6-11-120.
 - Future federal assistance, §6-11-120.
- Educational programs for children in institutions.
 - Authority of state board, §6-11-120.
 - Contracts, §6-11-120.
- Public elementary and secondary school self-insurance, §§6-20-1501 to 6-20-1515. See within this heading, "Schoolhouses."

Insurance.

- Employees. See within this subheading, "Public school employees."
- Motor vehicles.
 - Self-insurance, §§6-21-701 to 6-21-711. See within this heading, "Motor vehicles."
- Public school employees.
 - Advisory committee.
 - Cooperation among all entities under act, §6-17-1114.
 - Health insurance.
 - Contribution by local school districts, §6-17-1117.
 - Life and disability insurance.
 - Bids.
 - Approval of bid proposals, §6-17-1109.
 - Notice for bid proposals, §6-17-1109.
 - Eligible employees, §6-17-1111.
 - Premiums.
 - Allocation of costs, §6-17-1111.

EDUCATION —Cont'd**Insurance —Cont'd**

Public school employees —Cont'd

Life and disability insurance
—Cont'd

Retirement systems.

Members, §6-17-1112.

School bus drivers, §6-17-1116.

Supervisor of public school
employees insurance section.Cooperation among all entities
under act, §6-17-1114.

School bus drivers, §6-17-1116.

School districts.

Group disability insurance for
independent school districts,
§6-17-1115.

Defined, §6-17-1115.

Liability insurance for board
members, §6-13-625.

Schoolhouses.

Self-insurance, §§6-20-1501 to
6-20-1515. See within this
heading, "Schoolhouses."**Interest.**

Bond issues.

District school bonds, §6-20-1206.

Internet access, §6-21-107.**Internet filters.**

Required, §6-21-111.

Investments.

Schoolhouses.

Self-insurance.

Reserve funds, §6-20-1514.

Juvenile detention facilities.Reimbursement for educational
services, §6-20-104.**Kickbacks.**

Ethics, §6-24-112.

**Kids-for-health program, §§6-16-1001,
6-16-1002.****Kindergartens.**

Age.

Minimum age of child admitted,
§§6-16-308, 6-18-207.

Appropriations.

Limited to approved programs,
§6-16-310.

Fees.

Charging of fees prohibited,
§6-16-312.

Private programs.

Approval, §6-16-311.

Programs to be offered by each school
district, §6-16-201.

Readiness testing, §6-16-203.

School districts.

Program to be offered by each school
district, §6-16-201.**EDUCATION —Cont'd****Kindergartens —Cont'd**Skills and knowledge desired,
§6-18-105.

Standards.

Minimum standards, §6-16-313.

Tuition.

Charging of tuition prohibited,
§6-16-312.**Land sales fund, §6-20-202.****Language of instruction.**

Penalty for noncompliance, §6-16-104.

Learning disabilities.Identification of children with specific
learning disabilities, §6-41-103.**Leases.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
§6-13-624.**Liability, §6-18-205.**

Attendance in another district.

Payment of tuition by home district
to receiving district, §6-18-204.Permission of receiving district,
§6-18-204.

Prerequisites, §6-18-204.

Purpose of act, §6-18-204.

Quality education act.

Short title, §6-18-204.

Teachers.

Records, §6-18-217.

Title of act, §6-18-204.

Transportation aid.

Attendance as official data for
minimum aid, §6-18-213.

Truants.

Tuition.

Amount of tuition, §6-18-204.

Payment by home district to
receiving district, §6-18-204.

Violations.

Prosecuting attorney to prosecute
violators, §6-10-104.Where courses not offered in home
district, §6-18-204.

Prerequisites, §6-18-204.

Licenses.

Meeting national goals, §6-15-1005.

Loans.Revolving loan fund. See within this
heading, "Revolving loan fund."

Student loans.

General provisions.

See STUDENT LOANS.

Loitering.

On or near school grounds.

Penalty, §6-21-607.

EDUCATION —Cont'd**Lunch.**

School lunch program. See within this heading, "School lunch program."

Mathematics.

School for mathematics, sciences and arts, §§6-42-301 to 42-307. See within this heading, "Arkansas school for mathematics, science and arts."

Meetings.

Conduct of meetings.

Equal access. See within this heading, "Equal access."

Mental health.

Educational programs for children in institutions, §6-11-120.

Retardation.

Education of exceptional children.

See within this heading, "Exceptional children."

Military affairs.

School districts.

Directors.

Contracts for military training equipment, §6-21-103.

Permitting recruiters equal access to school facilities and records, §6-13-626.

Vacancies created by directors entering armed forces, §6-13-613.

Mines and minerals.

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

Minimum standards.

Quality education act generally, §§6-15-201 to 6-15-207. See within this heading, "Quality education act."

Minorities.

Administrator recruitment plan, §§6-17-1901, 6-17-1902.

Racial and ethnic sensitivity program, §6-17-110.

Teachers.

Recruitment advisory council, §6-17-1903.

Recruitment plan, §§6-17-1901, 6-17-1902.

Misdemeanors.

Attendance reports.

False reports, §6-18-219.

Contracts and budgets.

Penalty for violations, §6-24-120.

EDUCATION —Cont'd**Misdemeanors —Cont'd**

Correspondence schools.

Penalty for violation, §6-11-119.

Creating disturbance, §6-21-606.

Injury to schoolhouse or fixtures, §6-21-605.

Loitering on or near school grounds, §6-21-607.

Safety patrols.

Consent of parent or guardian.

Use of pupil without parental consent, §6-18-804.

School districts.

Purchases of commodities.

Violations of provisions, §6-21-302.

Smoking in public schools.

Violation of prohibition, §6-21-609.

Violation of school law when no specific penalty provided, §6-10-102.

Model learning standards,

§6-15-1012.

Model rural school consortium,

§§6-13-1101 to 6-13-1106.

Board.

Composition, §6-13-1102.

Powers and duties, §6-13-1104.

Contingent implementation of subchapter, §6-13-1106.

Creation.

Authority, §6-13-1102.

Criteria for establishment, §6-13-1106.

Intent of legislature, §6-13-1101.

Purpose of subchapter, §6-13-1101.

Motor vehicles.

Attendance.

Excessive unexcused absences.

Suspension of driving privileges, §6-18-222.

Safety patrols.

No direction of vehicular traffic, §6-18-803.

Self-insurance, §§6-21-701 to 6-21-711.

Administration of program, §6-21-704.

Advisory committee, §6-21-711.

Citation of subchapter, §6-21-701.

Establishment of program, §6-21-703.

Excess insurance, §6-21-709.

Information to be furnished by district, §6-21-706.

Inspection and safety program, §6-21-707.

Legislative declaration.

Purpose of subchapter, §6-21-702.

EDUCATION —Cont'd**Motor vehicles —Cont'd****Self-insurance —Cont'd**

- Medical payments coverage,
§6-21-708.
- Participation in program, §6-21-703.
- Payment of claims, §6-21-709.
- Physical damage coverage,
§6-21-708.
- Policy limits, §6-21-708.
- Premiums, §6-21-709.
- Purpose of subchapter, §6-21-702.
- Reporting requirements, §6-21-704.
- Safety program, §6-21-707.
- School districts.
Information to be furnished by
district, §6-21-706.
- School vehicle insurance reserve
trust fund, §6-21-710.
- State board of education.
Administration of program,
§6-21-704.
- Delegation of authority, §6-21-704.
- Duties, §6-21-705.
- Powers, §6-21-705.
- Subrogation, §6-21-709.
- Title of subchapter, §6-21-701.
- Transportation of school children.
School buses generally, §§6-19-101
to 6-19-119.
- See SCHOOL BUSES.

Narcotic drugs.

- Concealing drugs.
Confiscation without warrant,
§6-21-608.
- Definitions, §6-21-608.
- Discipline of student, §6-21-608.
- Evidence.
Admissibility, §6-21-608.
- School officials.
Defined, §6-21-608.
- School-owned property.
Defined, §6-21-608.
- School premises.
Defined, §6-21-608.
- Supervisor.
Defined, §6-21-608.

Nepotism.

- Ethics.
Effect, §6-24-106.
- State board of education.
Director of general education.
Restrictions on who may serve as,
§6-11-102.
- Director of vocational and technical
education.
Restrictions on who may serve as,
§6-11-102.

EDUCATION —Cont'd**Noncredit remedial courses.**

- High school students, §6-20-223.

Notice.

- County boards of education.
Meetings, §6-12-304.
- Elections.
School elections, §6-14-109.
- Polling places.
Identification, §6-14-106.
- Home-schooled students.
Notice of intent to provide home
schooling, §6-15-503.
- Insurance.
Public school employees.
Life and disability insurance.
Bid proposals, §6-17-1109.
- Quality education act.
Failure to meet minimum standards.
Public notice of probationary
status schools, §6-15-208.
- Failure to meet standards,
§6-15-203.
- Revolving loan fund.
Bond issues.
Sale of bonds, §6-20-1008.
- School term.
Notice of beginning, §6-10-107.

Oaths.

- County boards of education, §6-12-303.
- School districts.
Directors, §6-13-617.

Oil and gas.

- School districts.
Oil, gas and mineral leases.
Execution by directors, §6-13-624.
- Former leases validated,
§6-13-624.

Operation stay in school.

- Program, §6-18-221.

Oral health standards, §6-16-1003.**Organ donor awareness education,
§6-16-501.****Parental involvement plans,**

- §§6-15-1701 to 6-15-1705.
- Annual review, §6-15-1703.
- Contents, §6-15-1702.
- Establishment, §6-15-1702.
- Goals, §6-15-1702.
- Incorporation into teacher education
programs, §6-15-1705.
- Noncompliance of school districts,
§6-15-1704.
- Public policy, §6-15-1701.
- Staff development, §6-15-1703.

Parent and child.

- Criminal law and procedure.
Parental notification of law
enforcement actions, §6-18-513.

EDUCATION —Cont'd**Parents as teachers program,**
§6-10-109.

Generally. See within this heading,
"ABC program."

Parks and recreation.

School districts.

Public recreation and playgrounds,
§§6-21-501 to 6-21-505. See
within this heading, "School
districts."

Patriotic observances, §6-16-107.**Patriotism.**

American heritage instruction,
§6-16-122.

Morals, manners, patriotism and
business and professional
integrity.

Courses of study, §6-16-111.

Pledge of Allegiance.

Recitation requirement, §6-16-108.

Veterans diplomas.

Awarding for honorable service,
§§6-16-133, 6-16-134.

Penalties.

Attendance.

False attendance reports, §6-18-219.

Basic language of instruction.

Penalty for noncompliance,
§6-16-104.

Correspondence schools.

Penalty for violation of act,
§6-11-119.

Destruction of property, §6-21-604.

Disturbance created by persons not
students, §6-21-606.

Fraternities.

Violation of chapter, §6-18-602.

General penalty.

Violation of school law when no
specific penalty provided,
§6-10-102.

Immunization requirements.

Penalty for violation, §6-18-702.

Injury to schoolhouse or fixtures,
§6-21-605.

Loitering on or near school grounds,
§6-21-607.

School districts.

Purchases of commodities.

Violations of provisions, §6-21-302.

Treasurers.

Penalty for fraudulent use of
funds, §6-13-701.

Smoking in public schools.

Violation of prohibition, §6-21-609.

Textbooks.

Illegal acts involving school officials,
§6-21-410.

EDUCATION —Cont'd**Period of silence, §6-10-115.****Personal property.**

School districts.

Purchase of surplus government
property, §6-13-110.

Personnel policies. See within this
heading, "Employees."

Petitions.

Quality education act.

Annexation or consolidation.

Petition for annexation, §6-15-207.

Physical education.

Courses of study, §6-16-132.

Oral health standards, §6-16-1003.

Planning.

Schoolhouses.

Construction aid.

Approval of plans by state board
of education, §6-20-1407.

Playgrounds.

School districts.

Public recreation and playgrounds,
§§6-21-501 to 6-21-505. See
within this heading, "School
districts."

Pledge of Allegiance.

Recitation requirement, §6-16-108.

**Posting of historical documents in
public schools, §6-16-122.****Postsecondary preparatory**

programs, §§6-16-601 to 6-16-605.

Authority, §6-16-601.

Contents, §6-16-602.

Development.

Authority, §6-16-601.

Guidelines, §6-16-602.

Local programs.

Mandated, §6-16-603.

Optional summer program, §6-16-604.

Tests.

Acceptance of test scores, §6-16-605.

Guidelines, §6-16-602.

Optional summer program,
§6-16-604.

Placement test, §6-16-603.

Preschoolers.

ABC program.

Generally, §§6-45-101 to 6-45-109.

See within this heading, "ABC
program."

**Private residence and
correspondence schools,
§§6-51-601 to 6-51-622.**

See RESIDENCE AND

CORRESPONDENCE SCHOOLS.

EDUCATION —Cont'd**Procurement.**

School districts.

Purchases of commodities,
§§6-21-301 to 6-21-306. See
within this heading, "School
districts."

Small communities.

Purchases without bids, §6-13-628.

Professional development.

Parental involvement plans,
§6-15-1703.

Promotion.

Excessive absences.

Effect on promotion, §6-18-209.

Prosecuting attorneys.

Compensation for prosecuting
violations, §6-10-104.

Violations.

Prosecuting attorney to prosecute
violations, §6-10-104.

Publication.

Beginning of school term, §6-10-107.

School districts.

Budgets, §6-13-622.

Student publications, §§6-18-1201 to
6-18-1204. See within this
heading, "Student publications."

Public education act of 1997,

§§6-15-1001 to 6-15-1011.

Academically competent students,
§6-15-1003.

Assistance and support, §6-15-1006.

Leadership academy, §6-15-1007.

Legislative findings, §6-15-1002.

Qualified teachers in classrooms,
§6-15-1004.

Rules and regulations, §6-15-1011.

Safe, equitable and accountable
schools, §6-15-1005.

Title, §6-15-1001.

Public school choice, §6-18-206.**Public school dress codes, §6-18-102.****Public school educational**

cooperative act. See within this
heading, "Cooperatives."

Public school fund, §6-13-701.

Apportionment.

Considerations, §6-20-206.

To several counties, §6-20-204.

Bond issues.

Security of bonds, §6-20-222.

Carry over balances, §6-20-211.

Creation, §6-20-203.

Deposits, §6-20-222.

History textbook.

Proceeds deposited to credit of fund,
§6-20-205.

EDUCATION —Cont'd**Public school fund —Cont'd**

Management, §6-20-203.

Minimum foundation aid.

Consideration of needs when

allocating funds, §6-20-206.

Repayment of loans, §6-20-225.

Revolving fund, §6-20-205.

Security, §6-20-222.

Sources, §6-20-204.

Public works contracts.

Rulemaking authority, §6-21-109.

Pupils.

Age and residence of students
permitted to attend schools,
§6-18-202.

Alternative learning environment,
§§6-18-508, 6-18-509.

Attendance.

General provisions. See within this
heading, "Attendance."

Birth certificate.

Presentation required, §6-18-208.

Breakfast program, §6-18-705.

Discipline. See within this heading,
"Discipline."

Early childhood programs, §§6-45-101
to 6-45-109. See within this
heading, "ABC program."

Enrollment during expulsion,
§6-18-510.

Grading scale.

Uniform scale for public schools,
§§6-15-901, 6-15-902.

Immunization requirements,
§6-18-702.

Learning environment.

Alternative learning environment,
§§6-18-508, 6-18-509.

Physical examinations, §6-18-701.

Publications generally, §§6-18-1201 to
6-18-1204. See within this
heading, "Student publications."

Records.

Permanent student records.

Maintenance, §6-18-901.

Salutatorian.

Qualifications, §6-18-101.

School districts.

Transfer from one district to
another, §§6-18-307, 6-18-316 to
6-18-318. See within this
subheading, "Transfer from one
school district to another."

Social security number.

Required for enrollment in public
schools, §6-18-208.

EDUCATION —Cont'd**Pupils —Cont'd**

Student services, §§6-18-1001 to 6-18-1007.

Occupational and placement specialists, §6-18-1006.

Program.

Defined, §6-18-1005.

Purpose of subchapter, §6-18-1002.

Rules and regulations, §6-18-1003.

School district plan, §6-18-1004.

Status reports, §6-18-1007.

Title of subchapter, §6-18-1001.

Suicidal youths.

Counseling, referrals, medical care or other assistance, §6-17-107.

Transfer from one school district to another.

Adjoining district, §6-18-307.

Petition of students, §6-18-316.

Prohibited transfers, §6-18-317.

Waiver of prohibitions, §6-18-318.

Valedictorian.

Qualifications, §6-18-101.

Quality education act.

Adoption of regulations and standards, §6-15-202.

Annexation or consolidation.

Annexation of noncomplying district to complying district, §6-15-207.

Elimination of schools failing to meet minimum standards, §6-15-204.

Noncomplying districts, §6-15-204.

Petitions for annexation, §6-15-207.

Appeals.

Failure to meet minimum standards, §6-15-203.

Citation, §6-15-201.

Combination of high school programs in adjoining districts, §6-15-207.

Development of regulations and standards, §6-15-202.

Elimination of schools failing to meet minimum standards, §6-15-204.

Failure to meet minimum standards.

Annexation of noncomplying district to complying district, §6-15-207.

Appeals, §6-15-203.

Elimination of schools failing to meet, §6-15-204.

Notification of failure, §6-15-203.

Probationary status schools, §6-15-208.

Publication and dissemination of probationary status schools, §6-15-208.

Rulemaking authority, §6-15-209.

EDUCATION —Cont'd**Quality education act —Cont'd**

Failure to meet minimum standards —Cont'd

Subsequent failures, §6-15-206.

Assistance in achieving compliance, §6-15-206.

Periodic review of school districts, §6-15-206.

Regulations and standards, §6-15-202.

Rules and regulations.

Process of identifying failing schools and school districts, §6-15-209.

Short title, §6-15-201.

Title of subchapter, §6-15-201.

Questionnaires administered in school, parental authorization.

Definitions, §6-18-1302.

Requirements, §6-18-1303.

Title of provisions, §6-18-1301.

Real property.

School districts.

Authority to own and convey, §6-21-108.

Purchase of surplus government property, §6-13-110.

Sale of lands donated by state, §6-13-105.

Records.

Attendance records.

Manner of keeping, §6-18-213.

Teachers to maintain attendance records, §6-18-217.

Cooperatives, §6-13-906.

Education funds for handicapped or foster children.

Confidentiality of records, §6-20-510.

Graduation.

School districts to keep records of students leaving school without graduating, §6-18-214.

Military recruiters.

Directors of districts to permit equal access to records, §6-13-626.

School districts.

Meetings of directors, §6-13-619.

School lunch program.

Rules and regulations for maintaining records, §6-20-704.

State board of education.

Record of proceedings, §6-11-111.

Student records.

Maintenance of permanent records, §6-18-901.

Uniform system of records.

State board to prescribe, §6-11-110.

EDUCATION —Cont'd**Registered volunteers program,**

§§6-22-101 to 6-22-108.

Applicability of provisions, §6-22-107.

Construction of provisions, §6-22-108.

Definitions, §6-22-103.

Legislative findings, §6-22-101.

Optional program development,
§6-22-104.

Registered volunteers, §6-22-105.

Sovereign immunity, §6-22-106.

Title, §6-22-102.

Registration.

Correspondence schools.

Advertising without registration,
§6-11-119.

Expulsion of child from other schools,
§6-18-208.

Reimbursement of expenses.

Ethics.

Effect of chapter, §6-24-108.

Religion.

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

Rent.

Department of education buildings,
§6-10-112.

Repayment of loans to public school fund, §6-20-225.**Reports.**

Attendance.

Failure to file report, §6-18-213.

False attendance reports, §6-18-219.
Penalty, §6-18-219.

Filing of report on attendance,
§6-18-213.

Official reporting period for
attendance, §6-18-213.

Committee on closing the achievement
gap in Arkansas.

Dropout rates, suspensions,
expulsions and alternative
placements, §6-15-1604.

Cooperatives, §6-13-906.

Education service cooperatives,
§6-13-1020.

Evaluations, §6-13-1021.

Exceptional children.

Average daily attendance, §6-41-312.

Gifted and talented children,
§§6-42-102, 6-42-109.

Handicapped children, §6-41-223.

Task force, §6-41-504.

Graduation.

Students leaving without
graduating, §6-18-214.

EDUCATION —Cont'd**Reports —Cont'd**

Motor vehicles.

Self-insurance.

Reporting requirements,
§6-21-704.

Reporting student drug abuse.

Immunity from civil liability,
§6-17-107.

Schoolhouses.

Adjustment of losses.

Appraisers to adjust.

Report of appraiser, §6-20-1508.

Self-insurance, §6-20-1515.

School lunch program.

Rules and regulations for
maintaining, §6-20-704.

State board of education.

Annual report.

Printing and distribution,
§6-11-111.

Required, §6-11-111.

Transmission to general assembly,
§6-11-111.

Uniform system of records.

Reports to commissioner of
education, §6-11-110.

Student drug abuse.

Reporting.

Immunity from civil liability,
§6-17-107.

Reprimands.

Ethics violations.

Administrative remedies, §6-24-114.

Residence schools.

Residence and correspondence schools,
§§6-51-601 to 6-51-623.

See RESIDENCE AND
CORRESPONDENCE
SCHOOLS.

Revenue stabilization law.

Funds. See within this heading,
"Funds."

Revolving loan fund.

Accounts.

Certificate proceeds account,
§6-20-907.

Applications.

Approval or disapproval, §6-20-805.

Contents, §6-20-804.

Delegation of powers and duties to
commissioner, §6-20-805.

Determination, §6-20-805.

Examination, §6-20-805.

Filing, §6-20-804.

Apportionment.

Withholding apportionment upon
default, §6-20-814.

EDUCATION —Cont'd**Revolving loan fund —Cont'd**

Bond issues.

Amount of bonds.

Maximum amount, §6-20-1005.

Authorized, §6-20-1004.

Certificates of indebtedness,
§6-20-806.Collateral revolving loan bonds,
§6-20-905.Construction and interpretation,
§6-20-1002.

Contents of bonds, §6-20-1006.

Deposit of proceeds, §6-20-1010.

Designation of bonds, §6-20-1007.

Execution of bonds, §6-20-1009.

Interest.

Maximum lawful rate.

Defined, §6-20-1001.

Issuance of bonds, §6-20-1007.

Maximum amount of bonds,
§6-20-1005.Pledged obligations and revenues,
§6-20-1011.

Pledge to secure bonds, §6-20-1011.

Purchase by state treasurer,
§6-20-1017.Resolution authorizing bond,
§6-20-1006.

Sale of bonds, §6-20-1008.

Deposit of proceeds, §6-20-1010.

Notice, §6-20-1008.

Signatures on bonds, §6-20-1009.

Special obligations of board,
§6-20-1011.State board of education bonds,
§6-20-1004.

Tax exemption, §6-20-1013.

Validation, §6-20-1012.

Certificates of indebtedness.

Certificate of approval by board of
education, §6-20-810.

Execution, §6-20-903.

Included provisions, §6-20-806.

Interest, §6-20-806.

Issuance in connection with loan
program authorized, §6-20-902.

Maturity, §6-20-806.

Negotiability, §6-20-810.

Not obligations of state, §6-20-904.

Obligations of state board only,
§6-20-904.Pledge to secure payment,
§6-20-807.

Proceeds.

Account, §6-20-907.

Purchase by state treasurer,
§6-20-1017.**EDUCATION —Cont'd****Revolving loan fund —Cont'd**

Certificates of indebtedness —Cont'd

Security, §§6-20-807, 6-20-904.

Signatures of chairman and
secretary, §6-20-903.Tax exemption of principal and
interest, §6-20-908.

Teacher retirement board.

Purchase of certificates, §6-20-906.

Use of loan proceeds for retirement
of outstanding commercial
bonds, §6-20-807.

Validation of certificates, §6-20-1012.

Construction of act.

Liberal construction, §6-20-901.

Continuation, §6-20-801.

Defaults.

Apportionment withheld upon
default, §6-20-814.

Definitions.

Bond issues.

Interest.

Maximum lawful rate,
§6-20-1001.Deposit of interest and payments in
state treasury, §6-20-812.

Education service cooperatives.

Loans to cooperatives, §6-20-818.

Fees.

Penalty for charging fees, §6-20-816.

Prohibited, §6-20-816.

Implementation of act, §6-20-901.

Interest.

Charges against revenues of school
district, §6-20-813.Securities held in revolving loan
fund.Deposit in state treasury,
§6-20-812.

Jurisdiction.

State board of education, §6-20-801.

Maximum amount of loan.

Outstanding indebtedness
determines, §6-20-803.Obligations delivered to state board of
education, §6-20-811.Outstanding indebtedness determines
maximum amount of loan,
§6-20-803.Principal and interest charge against
revenues of school district,
§6-20-813.

Prior loans.

Validation, §6-20-817.

Proceeds.

Use for retirement of outstanding
bonds, §6-20-807.

EDUCATION —Cont'd**Revolving loan fund —Cont'd**

- Professional assistants.
 - Authority to engage and pay for, §6-20-1003.
- Purposes of loan, §6-20-802.
- Refunding bonds.
 - Authorized, §6-20-1015.
 - Creation of rights prohibited, §6-20-1016.
 - Issuance, §6-20-1015.
 - Sale, §6-20-1015.
- Refunding obligations.
 - Authorized, §6-20-815.
 - Interest, §6-20-815.
 - Maturity, §6-20-815.
 - Security, §6-20-815.
- Retirement systems.
 - Investment of retirement systems funds, §6-20-1014.
- Taxation.
 - Loans secured by ad valorem tax levy, §6-20-808.
 - Loans secured by district sources other than ad valorem tax levy, §6-20-809.
- Teacher retirement board.
 - Purchase of certificates, §6-20-906.
- Warrants for the payment of money.
 - Obligations delivered to state board of education.
 - State warrants drawn on fund, §6-20-811.

Rules and regulations.

- Advanced placement incentive program, §6-16-804.
- Comprehensive plan for consistency and rigor in course work.
 - Academic content standards and curriculum frameworks process, §6-15-1506.
- Comprehensive, testing, assessment and accountability program, §6-15-424.
- Early childhood and adult education act.
 - Powers of school districts not limited, §6-16-307.
- Education funds for handicapped or foster children.
 - Adoption by state board of education, §6-20-503.
- Education service cooperatives, §6-13-1013.
- Ethics.
 - Rulemaking authority, §6-24-119.
- Exceptional children.
 - Gifted and talented children, §6-42-102.

EDUCATION —Cont'd**Rules and regulations —Cont'd**

- Exceptional children —Cont'd
 - Promulgation, §6-41-303.
 - Task force, §6-41-503.
- Home-schooled students, §6-15-502.
- Quality education act.
 - Process of identifying failing schools and school districts, §6-15-209.
- Safety patrols.
 - Organization of patrols, §6-18-801.
- School districts.
 - Purchases of commodities, §6-21-303.
 - State board of education empowered to make reasonable rules and regulations, §6-20-303.
- School finance act. (1995 Prov.).
 - State board of education, §6-20-305.
- Schoolhouses.
 - Construction aid, §6-20-1401.
- State board of education, §6-11-105.
 - School in academic distress, §6-15-431.
- Student services, §6-18-1003.
- Textbooks.
 - Promulgation by state board, §6-21-404.

Rural services.

- Citation of act, §6-11-118.
- Eligibility of schools to be served by office, §6-11-118.
- Legislative intent, §6-11-118.
- Office.
 - Created, §6-11-118.
 - Duties, §6-11-118.
 - Functions, §6-11-118.
 - School served by office, §6-11-118.
 - Title of act, §6-11-118.

Safety patrols.

- Actions.
 - No liability for operation of safety patrol, §6-18-802.
- Age of members, §6-18-804.
- Consent of parent or guardian.
 - Misdemeanor to use pupil without consent, §6-18-804.
 - Written consent required, §6-18-804.
- Functions and purposes, §6-18-801.
- Motor vehicles.
 - No direction of vehicular traffic, §6-18-803.
- Organization of patrols.
 - Rules and regulations, §6-18-801.
- Performance of duties from curb or sidewalk, §6-18-803.
- Rules and regulations.
 - Organization of patrols, §6-18-801.
- Signals permitted, §6-18-803.

EDUCATION —Cont'd**Salaries.**

Budgets.

District budget, §6-17-914.

Classified personnel.

Arkansas study commission,
§6-17-808.Classified school employee minimum
salary act, §§6-17-2201 to
6-17-2205.

County board designees, §6-12-311.

County school supervisors, §6-12-311.

Educational excellence trust fund.

Classroom teacher salary
requirement, §6-5-307.Nonrecurring salary payments,
§6-20-412.**Salutatorians.**

Qualifications, §6-18-101.

Scholarships.Governor's scholars program,
§§6-82-301 to 6-82-314. See within
this heading, "Governor's scholars
program."High-Tech scholarship program. See
within this heading, "High-Tech
scholarship program."

Universities and colleges.

See UNIVERSITIES AND
COLLEGES.**School day.**

Defined, §6-16-102.

School districts.

Abandonment of school property.

Sale of property securing deed of
trust, §6-20-1222.

Academic distress status.

Enforcement action, §6-15-429.

Actions.

Costs and expenses of proceedings.

Charging to district, §6-13-623.

Activity funds, §6-13-701.

Alternative learning environment,
§§6-18-508, 6-18-509.Annexation and consolidation,
§§6-13-1401 to 6-13-1410.Agreement regarding effective date,
§6-13-1405.Appeal of adverse agency decision,
§6-13-1410.

Authority, §6-13-1402.

Board of directors, §6-13-1406.

Conditions for annexation,
§6-13-1403.Conditions for consolidation,
§6-13-1404.

Defined terms, §6-13-1401.

EDUCATION —Cont'd**School districts —Cont'd**

Annexation and consolidation —Cont'd

Desegregation efforts.

Annexation or consolidation may
not hamper, delay or
negatively affect, §6-13-1408.

District school bonds.

Liability of annexing district,
§6-20-1214.

Effective date, §6-13-1405.

Fiscal assessment and
accountability.Actions by state board,
§6-20-1910.

Liability for contracts and debts.

Receiving or resulting district,
§6-13-1407.

Petition for annexation, §6-13-1403.

Petition for consolidation,
§6-13-1404.Prior consent and approval,
§6-13-1402.

State board of education.

Duties, §6-13-1409.

Successors in interest.

Receiving or resulting district,
§6-13-1407.

Attendance.

Attendance in another district,
§§6-18-204, 6-18-205.Continued attendance outside of
district of residence, §6-18-205.Corrections department employees'
children or wards.Transfers of employees among
units.Impact on children's or ward's
attendance in district
enrolled, §6-18-203.Students in one district attending
school in another district,
§6-18-204.

Audits.

Fiscal affairs, §6-12-112.

Teachers salary law.

Audits of account, §6-17-913.

Treasurers, §6-13-701.

Bids and bidding.

Purchases of commodities,
§6-21-304.Exemptions from bidding
requirements, §6-21-305.Board. See within this subheading,
"Directors."

Body corporate, §6-13-102.

EDUCATION —Cont'd**School districts —Cont'd**

Bond issues.

Compacts.

Indebtedness and pledging millage
unauthorized, §6-13-806.District school bonds, §§6-20-1201 to
6-20-1229. See within this
heading, "Bond issues."

Petition for approval, §6-11-109.

Bonds, surety. See within this heading,
"Bonds, surety."

Boundaries.

Annexation and consolidation,
§§6-13-1401 to 6-13-1410.Changes by state board of education,
§6-13-1210.

Maintenance of record, §6-11-127.

Uncertain boundaries, §6-13-104.

Breakfast program, §6-18-705.

Budgets.

Directors.

Preparation by directors,
§6-13-620.

Penalty for violations, §6-24-120.

Petition for approval, §6-11-109.

Teachers' salary law, §6-17-914.

Building fund.

Act cumulative, §6-20-1210.

Authority to establish, §6-20-1209.

Purpose of fund, §6-20-1209.

Tax books.

Extension of school taxes,
§6-20-1211.Separate amount for building fund
not shown on tax books,
§6-20-1211.

Use of fund, §6-20-1210.

Committee on closing the achievement
gap in Arkansas, §§6-15-1601 to
6-15-1604.

Community meetings.

Permission to use school buildings,
§6-21-101.

Compacts.

Amendments, §6-13-805.

Approval by school board, §6-13-803.

Authorized, §6-13-801.

Indebtedness and pledging millage
unauthorized, §6-13-806.

Provisions, §6-13-802.

Residence of pupils unchanged,
§6-13-807.

Resolution of board, §6-13-803.

Submission to state board of
education, §6-13-804.

Consolidation.

Interim personnel policy committee,
§6-17-209.**EDUCATION —Cont'd****School districts —Cont'd**

Consolidation or merger.

Special elections.

Tax millage, §6-14-122.

Contacts, §6-18-319.

Contracts.

High school facilities, §6-13-106.

Student teachers, §6-17-305.

Conveyances.

Directors' authority to convey
section lands, §6-13-621.

Cooperatives.

General provisions, §§6-13-901 to
6-13-906. See within this
heading, "Cooperatives."

Corporate body, §6-13-102.

County treasurers.

Audits, §6-13-701.

Bonds.

Execution of surety bond,
§6-13-701.

Commission, §6-13-701.

Compensation, §6-13-701.

Duties, §6-13-701.

Fraud.

Penalty for fraudulent use of
funds, §6-13-701.

Funds turned over to treasurer.

Receipts for funds received,
§6-13-701.Receipts for funds turned over to
treasurer, §6-13-701.

Records.

Audit of records, §6-13-701.

Creation by detaching territory from
another district, §§6-13-1501 to
6-13-1505.Attendance requirements,
§6-13-1502.

Board of directors.

Temporary board, §6-13-1505.

Election on proposition, §6-13-1504.

Hearing on validity.

Petition for detachment,
§6-13-1504.

Initiation of proceedings, §6-13-1503.

Legislative intent, §6-13-1501.

Minimum area, §6-13-1502.

Order of creation, §6-13-1505.

Petition for detachment, §6-13-1503.

Hearing on validity, §6-13-1504.

Purpose, §6-13-1501.

Resolution for detachment,
§6-13-1503.

Current indebtedness.

Defined, §6-20-401.

Limitations, §6-20-402.

EDUCATION —Cont'd**School districts —Cont'd**

Deeds of trust.

Bond issues.

Endorsement on record of deed of trust, §6-20-1224.

Sale of school property securing deed of trust, §6-20-1222.

Defense of district.

Costs and expenses of proceedings, §6-13-623.

Definitions.

Purchases of commodities, §6-21-301.

Directors.

Abstention from voting, §6-13-619.

Annexation and consolidation, §6-13-1406.

Budgets.

Powers and duties as to, §6-13-620.

Publication of budget, §6-13-622.

Commission, §6-13-617.

Conveyance of section lands, §6-13-621.

Disbursing officers.

Signature, §6-13-618.

Districts having more than five directors.

Decrease in number of directors, §6-13-606.

Elections.

Minority population effect on election, §6-13-631.

Single-member zones.

Local option to elect, §6-13-615.

Zone and at-large election, §6-13-630.

Equalizing length of term, §6-13-608.

Felons.

Conviction of felony creates vacancy, §6-13-612.

Filling vacancies.

Conviction of felony, §6-13-612.

Instruction, §6-13-629.

Meeting facilities, §6-13-632.

Meetings, §6-13-619.

Minutes and records, §6-13-619.

Military recruiters.

Permitting equal access to facilities and records, §6-13-626.

Military training equipment.

Contracts, §6-21-103.

Minutes, §6-13-619.

Nonresident of school district, §6-13-634.

EDUCATION —Cont'd**School districts —Cont'd**

Directors —Cont'd

Notice.

Increase in number of directors, §6-13-604.

Number of directors.

Decrease in number of directors.

Districts having more than five directors, §6-13-606.

Increase in number, §6-13-604.

Oath of office, §6-13-617.

Officers.

Election, §6-13-618.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Organization, §6-13-618.

Permission to use school buildings for community meetings, §6-21-101.

Powers and duties, §6-13-620.

Qualifications, §6-13-616.

Records, §6-13-619.

Residence requirement, §6-13-616.

Student teachers.

Boards may contract, §6-17-305.

Term.

Conviction of felony creates vacancy, §6-13-612.

Procedure for equalizing length of term, §6-13-608.

Training, §6-13-629.

Vacancies, §§6-13-611, 6-13-633.

Conviction of felony, §6-13-612.

Filling.

Temporary vacancies, §6-13-613.

Temporary vacancies, §6-13-613.

Voting, §6-13-619.

Effect of abstaining, §6-13-619.

Warrants for the payment of money.

Authority to draw warrants, §6-20-403.

Dissolution.

District school bonds.

Dissolution of district shall not mature bonds, §6-20-1214.

Elections. See within this subheading, "Elections."

District contacts, §6-18-319.

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.

Educational cooperatives. See within this heading, "Cooperatives."

Elections.

Directors.

Minority population effect on election, §6-13-631.

EDUCATION —Cont'd**School districts —Cont'd****Elections —Cont'd****Directors —Cont'd**

Single-member zones.

Local option to elect, §6-13-615.

Zone and at-large elections,
§6-13-630.School elections generally. See
within this heading, "Elections."**Eminent domain.**

Districts granted power, §6-13-103.

Ethics, §6-24-105.

Vacancies, filling, §6-24-117.

Exceptional children.Cooperation among school districts,
§6-41-305.**Participation in program.**

Applications, §6-41-304.

Procedures, §6-41-304.

**Faculty involvement program,
§6-63-502.****Federal aid.**Interest-free loans from federal
agencies.

Acceptance, §6-20-411.

**Fiscal assessment and accountability,
§§6-20-1901 to 6-20-1911.**

Actions by department, §6-20-1909.

Actions by state board, §6-20-1910.

Appeal of identification as
distressed, §6-20-1905.Classification of distress status,
§6-20-1906.

Debt issuance, approval, §6-20-1907.

Definitions, §6-20-1903.

Indicators of distress, §6-20-1904.

Notice of distress, §6-20-1905.

Plan to address distress, §6-20-1908.

Purpose of provisions, §6-20-1902.

Rules and regulations, §6-20-1911.

Title of provisions, §6-20-1901.

Fiscal distress, §6-20-413.Development of indicators of,
§6-20-413.**Fraud.****Treasurers.**Penalty for fraudulent use of
funds, §6-13-701.**Funds.**Building fund. See within this
subheading, "Building fund."**Graduation.**Districts to keep records of students
leaving school without
graduating, §6-18-214.**Group disability insurance.**Independent school districts,
§6-17-1115.**EDUCATION —Cont'd****School districts —Cont'd****Health insurance.**Contribution for public school
employees, §6-17-1117.**Independent school districts.****Insurance.**Group disability insurance,
§6-17-1115.**Insurance.**

Group disability insurance.

Defined, §6-17-1115.

Liability insurance for board
members, §6-13-625.**Isolated school districts.**

Definitions, §6-20-601.

Kindergartens.Program to be offered by each school
district, §6-16-201.**Kinds of school districts.**

Only one kind, §6-13-101.

Lab equipment.Donation of equipment seized under
drug paraphernalia law,
§6-21-102.**Learning environments.**Alternative learning environment,
§§6-18-508, 6-18-509.**Leases.**

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
§6-13-624.**Legal counsel.**

Employment authorized, §6-13-623.

**Limitation on current indebtedness,
§6-20-402.****Loans.****Federal agencies.**

Interest-free loans from.

Acceptance by school district,
§6-20-411.**Military recruiters.**Directors to permit equal access to
facilities and records, §6-13-626.**Military training equipment.****Directors.**

Contracts for, §6-21-103.

Minimum standards.Quality education act generally,
§§6-15-201 to 6-15-207. See
within this heading, "Quality
education act."**Misdemeanors.**

Purchases of commodities.

Violations of provisions, §6-21-302.

EDUCATION —Cont'd**School districts —Cont'd**

Motor vehicles.

Self-insurance.

Generally. See within this heading, "Motor vehicles."

Name, §6-13-102.

Certificate showing name filed, §6-13-102.

Filing, §6-13-102.

Non-revenue receipts.

Contents, §6-20-401.

Defined, §6-20-401.

Nurses.

School nurse, §6-18-704.

Oil and gas.

Leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

Only one kind of school district, §6-13-101.

Parental involvement plans, §§6-15-1701 to 6-15-1705.

Penalties.

Purchases of commodities.

Violations a misdemeanor, §6-21-302.

Treasurers.

Fraudulent use of funds, §6-13-701.

Personnel policy law for classified employees, §§6-17-2301 to 6-17-2306.

Petty cash fund.

Created, §6-20-409.

Invoices, §6-20-409.

Payment from fund.

No payments until supplies delivered, §6-20-409.

Playgrounds, §§6-21-501 to 6-21-505.

See within this subheading, "Public recreation and playgrounds."

Postdated warrants.

Liability of improperly drawn warrant, §6-20-402.

School boards may issue for certain purposes, §6-20-402.

Powers and duties.

Generally, §6-13-102.

Public recreation and playgrounds.

Authorized, §6-21-501.

Cooperation, §6-21-502.

Gifts.

Acceptance of gifts and bequests, §6-21-503.

EDUCATION —Cont'd**School districts —Cont'd**

Public recreation and playgrounds —Cont'd

Powers of districts, §§6-21-501, 6-21-502.

Property used for activities, §6-21-503.

School facilities.

Secondary use, §6-21-505.

School facilities.

Use.

Secondary use, §6-21-505.

State aid.

No state aid, §6-21-502.

Pupils.

Residence.

Compacts.

Residence of pupils unchanged, §6-13-807.

Purchases of commodities, §§6-21-301 to 6-21-306.

Bids and bidding, §6-21-304.

Exemptions from bidding requirements, §6-21-305.

Definitions, §6-21-301.

Exemptions from bidding requirements, §6-21-305.

Manner of making commodities purchases, §6-21-304.

Penalties for violations, §6-21-302.

Rules and regulations, §6-21-303.

Small communities.

Purchases without bids and from members of school board, §6-13-628.

Used school buses, §6-21-306.

Violation a misdemeanor, §6-21-302.

Quality education act.

Failure to meet standards, §6-15-202.

Quality education act generally, §§6-15-201 to 6-15-207. See within this heading, "Quality education act."

Real property.

Authority to own and convey, §6-21-108.

Lands donated by state.

Sale by district, §6-13-105.

Use of proceeds from sale, §6-13-105.

Records.

Attendance records, §6-18-213.

Refinancing postdated warrants, §6-20-402.

Refunding bonds.

District school bonds. See within this heading, "Bond issues."

EDUCATION —Cont'd**School districts —Cont'd**

Reports.

Students leaving school without
graduating, §6-18-214.

Revenue receipts.

Contents, §6-20-401.

Defined, §6-20-401.

Rules and regulations.

Purchases of commodities,
§6-21-303.

Salaries.

Nonrecurring salary payments,
§6-20-412.

School boards.

Attendance. See within this heading,
"Attendance."

Compacts.

Approval by board, §6-13-803.

Liability insurance, §6-13-625.

Meeting facilities, §6-13-632.

Membership in state association of
school board officials.

Authorized, §6-13-107.

School finance act.

General provisions, §§6-20-301 to
6-20-327.

School lunch program. See within this
heading, "School lunch program."

School performance report act,
§§6-15-1401, 6-15-1402.

School superintendent, employment of,
§6-13-109.

Petition for approval, §6-11-109.

School worker defense program,
§§6-17-1113, 6-17-1118.

Sixteenth section school lands,
§6-13-108.

Student services.

School district plan, §6-18-1004.

Students in one district attending
school in another district. See
within this heading, "Attendance."

Surplus property.

Purchase of government property,
§6-13-110.

Teachers.

Districts and officers relieved from
liability for breach of contracts,
§6-17-803.

Transfer of children from one district
to another.

Adjoining district, §6-18-307.

Petition of students, §6-18-316.

Prohibited transfers, §6-18-317.

Waiver of prohibitions, §6-18-318.

EDUCATION —Cont'd**School districts —Cont'd**

Treasurers.

Ethics, §6-24-106.

Restrictions on employment,
§6-24-111.

Warrants for the payment of money.

Authority to draw warrants,
§6-20-403.

Bonded indebtedness.

Description, §6-20-404.

Recorded by treasurer before
cashing, §6-20-404.

Issuance of warrant to pay bond,
§6-20-404.

Cashing warrants without
description.

Liability of treasurer and
bondsmen, §6-20-404.

Countersignatures required,
§6-20-403.

Energy savings contract, §6-20-405.

Fraudulent issuance of warrant,
§6-20-407.

Improperly drawn warrants,
§6-20-402.

Petty cash fund.

Creation, §6-20-409.

Invoices, §6-20-409.

Payments from fund stop until
supplies delivered, §6-20-409.

Postdated warrants, §6-20-402.

**School elections, §§6-14-101 to
6-14-122.** See within this heading,
"Elections."

**School finance act, §§6-20-301 to
6-20-327.**

Computation of classroom teachers'
salaries, §6-20-320.

Construction of provisions, §6-20-304.

Definitions, §6-20-303.

Department of education, §6-20-308.

Districts losing revenue, §§6-20-326,
6-20-327.

Facilities, §6-20-307.

Incentive revenues.

Local mills, §6-20-324.

Legislative findings, §6-20-302.

Local school districts, §6-20-311.

Required expenditures, §6-20-310.

Restrictions of use of specific
funding, §6-20-309.

Other requirements for state aid,
§6-20-319.

Regulations, §6-20-305.

School funding, §6-20-306.

Special needs students, §6-20-323.

Title, §6-20-301.

EDUCATION —Cont'd**School for mathematics, sciences**

and arts, §§6-42-301 to 6-42-307.

See within this heading, "Arkansas school for mathematics, science and arts."

School for the blind, §§6-43-201 to 6-43-223.

See BLIND PERSONS.

School for the deaf, §§6-43-301 to 6-43-319.

See DEAF PERSONS.

Schoolhouses.

Construction aid.

Bond issues.

Authority to issue, §6-20-1402.

Borrowing money.

Authority, §6-20-1402.

Minimum standards, §6-20-1406.

Plans.

Approval by state board of education, §6-20-1407.

Rules and regulations, §6-20-1401.

Standards for construction, §6-20-1406.

Destruction of property.

Penalty, §6-21-604.

Injury to schoolhouses.

Penalties, §6-21-605.

Self-insurance.

Advisory committee.

Composition, §6-20-1504.

Duties, §6-20-1504.

Established, §6-20-1504.

Expenses of members, §6-20-1504.

Meetings, §6-20-1504.

Membership, §6-20-1504.

Board of education.

Bond obligations of local district.

Effect, §6-20-1513.

Bond issues of localities.

Effect, §6-20-1513.

Cancellation of insurance, §6-20-1506.

Appeals, §6-20-1506.

Citation of subchapter, §6-20-1501.

Department of education.

Insurance service division, §6-20-1502.

Effect of federal assistance, §6-20-1509.

Establishment of system, §6-20-1502.

Federal assistance.

Effect, §6-20-1509.

Funds.

Disposition, §6-20-1512.

EDUCATION —Cont'd**Schoolhouses —Cont'd****Self-insurance —Cont'd****Funds —Cont'd**

Investment of reserve funds, §6-20-1514.

Permanent insurance reserve fund, §6-20-1511.

Maintenance, §6-20-1512.

Public elementary and secondary school insurance fund.

Establishment, §6-20-1510.

Information furnished by officials, §6-20-1505.

Insurance service division, §6-20-1502.

Investments of reserve funds, §6-20-1514.

Maintenance, inspection and engineering services, §6-20-1506.

Officials to furnish information, §6-20-1505.

Permanent insurance reserve fund, §6-20-1511.

Maintenance, §6-20-1512.

Premiums.

Payment, §6-20-1507.

Rate, §6-20-1507.

Public elementary and secondary school insurance fund.

Establishment, §6-20-1510.

Reports.

Annual reports, §6-20-1515.

State board of education.

Duties, §6-20-1503.

Powers, §6-20-1503.

Title of subchapter, §6-20-1501.

School law.

Title of act, §6-10-101.

School lunch program.

Administration of program, §6-20-702.

Appropriations.

Authorized, §6-20-708.

Definitions, §6-20-701.

Federal funds.

Expenditures, §6-20-703.

Gifts.

Acceptance, §6-20-706.

Promoting nutritional education in schools.

Studies and appraisals by board, §6-20-705.

Records.

Rules and regulations for keeping records, §6-20-704.

School districts.

Defined, §6-20-701.

Use of funds, §6-20-707.

EDUCATION —Cont'd**School lunch program —Cont'd**

State board of education.

Accounts.

Rules and regulations for keeping accounts, §6-20-704.

Administration of program, §6-20-702.

Deposit of funds received from federal government, §6-20-703.

Gifts.

Acceptance, §6-20-706.

Studies and appraisals by board, §6-20-705.

State funds.

Appropriation of state funds authorized, §6-20-708.

Surplus commodities.

Distribution in school lunch program, §6-21-104.

Use of funds by school district, §6-20-707.

School motor vehicles.

Generally. See within this heading, "Motor vehicles."

School performance report act,

§§6-15-1401, 6-15-1402.

School safety.

Emergency plans for terrorist attacks, §6-15-1302.

School performance report act, §§6-15-1401, 6-15-1402.

School safety patrols, §§6-18-801 to

6-18-804. See within this heading, "Safety patrols."

School taxes, §§26-80-101 to 26-80-110.

See within this heading, "Taxation."

School term.

Notice of beginning, §6-10-107.

School worker defense program,

§§6-17-1113, 6-17-1118.

Advisory board, §6-17-1118.

Employees covered, §6-17-1113.

Establishment, §6-17-1113.

School year.

Extension beyond Memorial day, §6-10-106.

Twelve-month school year.

Authorized, §6-10-108.

Distribution of funds.

State board of education to establish guidelines, §6-10-108.

Guidelines for distribution of funds, §6-10-108.

Legislative intent, §6-10-108.

Purpose of act, §6-10-108.

EDUCATION —Cont'd**School year —Cont'd**

Uniform date for beginning school year, §6-10-106.

School-year remediation program.

Mandatory participation for promotion, §6-16-705.

Program in lieu summer school, §6-16-704.

Sciences.

School for mathematics, sciences and arts, §§6-42-301 to 6-42-307. See within this heading, "Arkansas school for mathematics, science and arts."

Seals.

State board of education.

Official seal, §6-11-107.

Searches and seizures.

Concealing guns or drugs.

Confiscation without warrant, §6-21-608.

Hand-held laser pointers.

Student possession, §6-18-512.

Secret organizations. See within this heading, "Fraternities."

Selective service registration,

§6-18-103.

Sexual offenses.

Employees convicted of committing, §6-17-116.

Sick leave.

Employees. See within this heading, "Employees."

Silence period, §6-10-115.**Site-based decision making,**

§§6-13-1301 to 6-13-1309.

Adoption of policy, §6-13-1303.

School district policy, §6-13-1305.

Alternative model, §6-13-1309.

Assistance by department of education, §6-13-1308.

Authority.

Other authority granted by local board, §6-13-1307.

Definitions, §6-13-1302.

Department of education.

Assistance, §6-13-1308.

Exemption from administrative structure.

Alternative model, §6-13-1309.

Grant of other authority by local board, §6-13-1307.

Legislative intent, §6-13-1301.

Policy adoption, §6-13-1303.

School district policy, §6-13-1305.

Purpose of act, §6-13-1301.

EDUCATION —Cont'd**Site-based decision making —Cont'd**

School council.

Creation, §6-13-1304.

Duties generally, §6-13-1306.

Members, §6-13-1304.

Powers generally, §6-13-1306.

Smoking.

Prohibited in public schools, §6-21-609.

Social security number.

Pupils.

Required for enrollment in public schools, §6-18-208.

Sororities. See within this heading, "Fraternities."

Southern regional education compact.

Application by students, §6-4-106.

Approval by legislature, §6-4-102.

Board.

Contracts in cooperation with boards of trustees of universities and colleges and community colleges, §6-61-402.

Contracts for education out-of-state, §6-4-105.

Copy furnished states upon approval by requisite number, §6-4-103.

Execution.

Governor authorized to execute, §6-4-101.

Legislative approval, §6-4-102.

Qualifications of students, §6-4-106. Text, §6-4-101.

Universities and colleges.

Cooperation with board, §6-61-402.

University of Arkansas.

Board of trustees.

Disbursing agent for student accepted under program, §6-4-107.

Payment for accepted students, §6-4-105.

Designation as state agent for out-of-state education, §6-4-104.

Special education.

Exceptional children generally. See within this heading, "Exceptional children."

Special elections.

School elections. See within this heading, "Elections."

State board of education.

Academic standards and expected outcome, §6-15-101.

American College Test assessment assistance pilot program, §§6-18-401 to 6-18-408.

EDUCATION —Cont'd**State board of education —Cont'd**

Appointment of members, §6-11-101.

Charter schools.

General provisions, §§6-23-101 to 6-23-601.

See CHARTER SCHOOLS.

Children in institutions.

Educational programs.

Authority of board, §6-11-120.

Committee on closing the achievement gap in Arkansas, §§6-15-1601 to 6-15-1604.

Compensation of members, §6-11-101.

Competency and outcome based education.

Authority of state board, §6-15-403.

Comprehensive plan for consistency and rigor in course work, §§6-15-1502 to 6-15-1506.

Comprehensive testing, assessment and accountability program, §6-15-403.

Contracts.

Children in institutions.

Contracts for educational services, §6-11-120.

Special contracts, §6-11-115.

Coordination of state and federal laws, §6-11-112.

Core curriculum, §6-15-1101.

Correspondence school.

Accreditation.

Standards set by state board, §6-11-119.

Advertising without registration, §6-11-119.

Application of act, §6-11-119.

Certificates of approval, §6-11-119.

Misdemeanors, §6-11-119.

Penalty for violation, §6-11-119.

Violations.

Penalties, §6-11-119.

Data processing.

Statewide computer network, §6-11-124.

Prior review before purchase or lease of computers, §6-11-128.

Director of general education, §6-11-102.

Ex officio secretary of board, §6-11-103.

Director of vocational and technical education, §6-11-102.

Ex officio secretary of board of vocational education, §6-11-103.

Disposition of public property.

Rulemaking authority, §6-21-110.

Duties, §6-11-105.

EDUCATION —Cont'd**State board of education —Cont'd**

- Education service cooperatives.
 - Policies, rules and regulations, §6-13-1013.
- Expenses of members, §6-11-101.
- Federal aid.
 - Designation of board as state educational authority, §6-11-113.
 - Designation to receive and administer federal funds, §6-11-114.
- Federal laws.
 - Power to make plans coordinating state and federal laws, §6-11-112.
- History textbook.
 - Publication and offer for sale, §6-20-205.
- Home-schooled students.
 - Rules and regulations, §6-15-502.
- Meetings.
 - Called meetings, §6-11-104.
 - Regular meetings, §6-11-104.
 - Special meetings, §6-11-104.
 - State board of higher education.
 - Joint meetings, §6-1-102.
- Motor vehicles.
 - Self-insurance. See within this heading, "Motor vehicles."
- Number of members, §6-11-101.
- Officers, §6-11-103.
- Paperwork reduction, §6-11-126.
- Powers, §6-11-105.
- Principles and standards.
 - Authority for board to prescribe, §6-11-116.
- Public works contracts.
 - Rulemaking authority, §6-21-109.
- Qualifications of members, §6-11-101.
- Records.
 - Proceedings, §6-11-111.
 - Uniform system of records, §6-11-110.
- Removal of members, §6-11-101.
- Reports.
 - Annual report, §6-11-111.
 - Printing and distribution, §6-11-111.
 - Transmission to general assembly, §6-11-111.
 - Board of higher education.
 - Joint annual report, §6-1-102.
 - Transmission of annual report to general assembly, §6-11-111.
- Representation of state, §6-11-113.
- Rules and regulations, §6-11-105.
 - Disposition of public property, §6-21-110.

EDUCATION —Cont'd**State board of education —Cont'd**

- Rules and regulations —Cont'd
 - Public works contracts, §6-21-109.
 - School finance act, §6-20-305.
 - School buses, §§6-19-111, 6-19-114.
 - School districts.
 - Annexation and consolidation.
 - Appeal of adverse agency decision, §6-13-1410.
 - Duties, §6-13-1409.
 - Prior consent and approval, §6-13-1402.
 - Compacts.
 - Submission to state board, §6-13-804.
 - School finance act.
 - Regulations, §6-20-305.
 - School in academic distress.
 - Appeal of status determination, §6-15-428.
 - Required school board action, §6-15-429.
 - Rulemaking authority, §6-15-431.
 - School lunch program. See within this heading, "School lunch program."
 - Schools in academic distress, §6-15-430.
 - Seal.
 - Official seal, §6-11-107.
 - Secretaries.
 - Ex officio secretary, §6-11-103.
 - Standards.
 - Authority to prescribe, §6-11-116.
 - Terms of members, §6-11-101.
 - Textbooks.
 - General provisions. See within this heading, "Textbooks."
 - Vacancies, §6-11-101.
 - Vocational education.
 - Director of vocational and technical education, §6-11-102.
 - Ex officio secretary of board of vocational education, §6-11-103.
- State board of workforce education and career opportunities,** §§6-11-201 to 6-11-207.
- State school board.**
 - School districts.
 - Fiscal distress.
 - Development of indicators of fiscal distress, §6-20-413.
- Statutes.**
 - Teaching Arkansas laws in target courses, §6-16-123.
- Student crimes.**
 - Duty to report and investigate, §6-17-113.

EDUCATION —Cont'd**Student publications, §§6-18-1201 to 6-18-1204.**

Expression, students' right,
§6-18-1203.

Policies to be written, §6-18-1202.

Prohibited publications, §6-18-1204.

Right of expression, §6-18-1203.

Short title, §6-18-1201.

Unauthorized publications, §6-18-1204.

Written policy, §6-18-1202.

Student services.

Implementation, §6-18-1008.

Occupational and placement
specialists, §6-18-1006.

Program.

Defined, §6-18-1005.

Purpose of subchapter, §6-18-1002.

Rules and regulations, §6-18-1003.

School district plan, §6-18-1004.

Status reports, §6-18-1007.

Title of subchapter, §6-18-1001.

Students generally. See within this heading, "Pupils."**Suicidal youths.**

Counseling, referrals, medical care or
other assistance, §6-17-107.

Summer school programs.

Authorized, §6-16-702.

Fees, §6-16-702.

Legislative intent, §6-16-701.

Nonresident students, §6-16-706.

School-year remediation in lieu of
summer school program,
§6-16-704.

Superintendents.

Employment, §6-17-301.

Penalty for violations, §6-24-120.

Ethics, §6-24-106.

Restrictions on employment,
§6-24-111.

Falsifying attendance records.

Revocation of license, §6-17-407.

Licenses.

Revocation, §6-17-406.

Suspension or expulsion of students,
§6-18-507.

Surplus commodities.

School lunch program.

Distribution in program, §6-21-104.

Suspension of student, §6-18-507.**Talented children.**

Exceptional children.

Gifted and talented children,
§§6-42-101 to 6-42-109. See
within this heading,
"Exceptional children."

EDUCATION —Cont'd**Target courses for teaching**

Arkansas laws, §6-16-123.

Task force on medically fragile, chronically ill, and technology-dependent students, §§6-41-501 to 6-41-504. See within this heading, "Exceptional children."**Taxation.**

Elections.

Consolidation, annexation or merger
of districts.

Tax millage, §6-14-122.

Exemption for textbooks, §6-21-411.

Revolving loan fund.

Loans secured by ad valorem tax
levy, §6-20-808.

Loans secured by district sources
other than ad valorem tax levy,
§6-20-809.

Technology training center.

Education service cooperatives,
§6-13-1023.

Telecommunications.

Distance learning demonstration
project, §§6-47-201 to 6-47-305.

See **ADVANCED**

**COMMUNICATIONS AND
INFORMATION
TECHNOLOGY.**

Distance learning development project,
§§6-47-401 to 6-47-405.

Television, §§6-3-101 to 6-3-113.

See **EDUCATIONAL TELEVISION.**

Terrorism.

Emergency plans for terrorist attacks,
§6-15-1302.

Tests.

American College Test assessment
assistance pilot program,
§§6-18-401 to 6-18-408.

GED testing for adults, §6-16-118.

Home-school students.

Annual achievement tests,
§6-15-504.

Textbooks.

Arkansas history textbook.

Publication and sale, §6-20-205.

Assessment of damages for publisher's
failure to comply, §6-21-409.

Bids, §6-21-406.

Conditions for offering textbooks for
adoption, sale or exchange,
§6-21-406.

Braille and large print textbooks.

Application by local school districts
for, §6-21-105.

EDUCATION —Cont'd**Textbooks —Cont'd**

Braille and large print textbooks
—Cont'd

School for blind to provide,
§6-21-105.

Conditions for offering textbooks for
adoption, sale or exchange,
§6-21-406.

Contracts with publisher.

Bids, §§6-21-406, 6-21-407.

Damages for failure to comply,
§6-21-409.

Definitions, §6-21-402.

Distribution, §6-21-412.

Exchange regulations, §6-21-408.

Illegal acts involving school officials,
§6-21-410.

Furnishing, §6-21-403.

Gifts.

Illegal acts involving school officials,
§6-21-410.

Lists.

Selection from lists, §6-21-405.

Offering for adoption, sale or
exchange.

Conditions, §6-21-406.

Penalties.

Illegal acts involving school officials,
§6-21-410.

Prices, §6-21-405.

Requirements, §6-21-403.

Rules and regulations.

Promulgation, §6-21-404.

Selecting committees.

Creation, §6-21-413.

Illegal acts, §6-21-410.

Members, §6-21-413.

Short title, §6-21-401.

State board of education.

Determination of subjects,
§6-21-405.

Duties, §6-21-404.

Subjects.

Determination, §6-21-405.

Tax exemption, §6-21-411.

Title of act, §6-21-401.

Therapeutic child development programs.

Generally. See within this heading,
"ABC program."

Time.

Beginning of school year.

Uniform date, §6-10-106.

Fiscal year, §6-20-410.

School elections.

Date of annual election, §6-14-102.

EDUCATION —Cont'd**Time —Cont'd**

School year.

Extension beyond Memorial day,
§6-10-106.

Tobacco use, §6-21-609.**Transportation.**

High cost transportation funding
formula, §§6-20-1701 to 6-20-1716.

See HIGH COST

TRANSPORTATION FUNDING
FORMULA.

Treasurers.

Federal aid.

State treasurer designated as
trustee, §6-11-113.

Trespass.

Disturbance created by persons not
students.

Penalty, §6-21-606.

Truancy.

Attendance. See within this heading,
"Attendance."

Community truancy board, §§6-18-225,
6-18-226.

Home school students.

Nonparticipation in testing program,
§6-15-503.

Trust fund for educational

excellence, §§6-5-301 to 6-5-308,
19-5-942. See within this heading,
"Educational excellence trust fund."

Tuberculosis.

Employees.

Examination of sputum by hygienic
laboratory, §6-17-101.

Examination of school personnel
without charge, §6-17-101.

Turnback funds, §6-20-224.**Uniform dress code in public schools, §6-18-102.****United States.**

Schoolhouses.

Self-insurance.

Effect of federal assistance,
§6-20-1509.

Universities and colleges.

General provisions.

See UNIVERSITIES AND
COLLEGES.

University of Arkansas, §§6-64-101 to 6-64-1010.

See UNIVERSITY OF ARKANSAS.

University of Central Arkansas, §§6-67-101 to 6-67-114.

See UNIVERSITY OF CENTRAL
ARKANSAS.

EDUCATION —Cont'd

Unsafe school choice program,
§6-15-432.

Valedictorians.

Qualifications, §6-18-101.

Veterans.

Korean War veterans.

Awarding high school diploma for
honorable service, §6-16-134.

Vietnam War veterans.

Awarding high school diploma for
honorable service, §6-16-134.

World War II veterans.

Awarding high school diploma for
honorable service, §6-16-133.

Victims of crime.

Unsafe school choice program,
§6-15-432.

Visually impaired students,

§§6-41-401 to 6-41-406. See within
this heading, "Exceptional children."

Vital statistics.

Certificates of birth.

Pupils.

Presentation required, §6-18-208.

**Vocational education and
rehabilitation.**

School districts.

Vocational technical high school
districts. See within this
heading, "School districts."

Waiver.

Beginning of school year.

Request for waiver, §6-10-106.

Warrants for the payment of money.

School districts.

Authority to draw warrants,
§6-20-403.

Bonded debt.

Description, §6-20-404.

Recording by treasurer before
cashing, §6-20-404.

Required, §6-20-404.

Issuance of warrant to pay bond,
§6-20-404.

Cashing warrants without
description.

Liability of treasurer and
bondsmen, §6-20-404.

Countersignatures required,
§6-20-403.

Energy savings contract, §6-20-405.

Fraudulent issuance of warrant,
§6-20-407.

Improperly drawn warrants.

Liability, §6-20-402.

Liability of treasurer and bondsmen,
§6-20-404.

EDUCATION —Cont'd**Warrants for the payment of money
—Cont'd**

School districts —Cont'd

Petty cash fund.

Invoices, §6-20-409.

Limitations, §6-20-409.

Payments from fund stop until
supplies delivered, §6-20-409.

Postdated warrants, §6-20-402.

Weapons.

Civil War reenactors carrying weapons
on school property, §6-5-501.

Concealing guns.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline, §6-21-608.

Evidence.

Admissibility, §6-21-608.

School officials.

Defined, §6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisors.

Defined, §6-21-608.

Unlawful, §6-21-608.

Workers' compensation.

Employees.

Coverage, §6-17-1401.

Exclusive jurisdiction vested in
workers' compensation
commission, §6-17-1402.

Forms, §6-17-1404.

Notification of award, §6-17-1405.

Reports.

Filing of report by school district
officials, §6-17-1404.

Rulemaking power vested in
commission, §6-17-1402.

Transfer of available federal funds,
§6-17-1405.

School district employees.

Insurance carriers, §6-17-1413.

Liability, §6-17-1411.

Responsibility, §6-17-1412.

EDUCATIONAL TELEVISION.**Audits.**

Annual audit, §6-3-110.

Appropriations.

Prerequisites to availability of
appropriation, §6-3-110.

Revolving cash fund, §6-3-109.

Budgets.

Requests, §6-3-111.

EDUCATIONAL TELEVISION

—Cont'd

Commission.

- Agents, §6-3-104.
- Allowances, §6-3-102.
- Appointment of members, §6-3-102.
- Compensation of members, §6-3-102.
- Conflicts of interest, §6-3-102.
- Contracts.
 - Power to execute contracts, §6-3-106.
- Created, §6-3-101.
- Duties, §6-3-105.
- Eminent domain power, §6-3-113.
- Employees, §6-3-104.
- Established, §6-3-101.
- Expenses of members, §6-3-102.
- Gifts or grants.
 - Acceptance, §6-3-107.
- Meetings.
 - Organizational meeting, §6-3-103.
- Membership, §6-3-102.
- Mileage, §6-3-102.
- No further responsibility after
 - furnishing or installing equipment, §6-3-108.
- Purpose, §6-3-105.
- Qualifications of members, §6-3-102.
- Revolving cash fund, §6-3-109.
- Rules and regulations, §6-3-103.
- Successors, §6-3-102.
- Terms of members, §6-3-102.
- Vacancies in office, §6-3-102.

Conflicts of interest.

- Commission, §6-3-102.

Contracts.

- Commission.
 - Power to contract, §6-3-106.

Employees.

- Supervision of state employees of
 - division, §6-3-110.

Facilities lease.

- Authorization, §6-3-112.

Funds.

- Revolving cash fund.
 - Audit, §6-3-109.
 - Authorized, §6-3-109.
 - Records, §6-3-109.

Gifts.

- Commission.
 - Acceptance of gifts or grants, §6-3-107.

Records.

- Revolving cash fund, §6-3-109.

Revolving cash fund, §6-3-109.**Rules and regulations.**

- Commission, §6-3-103.

EDUCATION SERVICE

COOPERATIVES, §§6-13-1001 to 6-13-1026.

See **EDUCATION**.

EDUCATOR COMPENSATION ACT OF 2001, §§6-17-2101 to 6-17-2106.**ELECTIONS.****Community colleges.**

- Local boards.
- Members, §6-61-520.

Education.

- School elections, §§6-14-101 to 6-14-122.
- See **EDUCATION**.

Notice.

- Technical college districts.
 - Formation and ad valorem tax levy, §6-53-602.

School elections, §§6-14-101 to 6-14-122.

See **EDUCATION**.

Technical college districts.

- Formation and ad valorem tax levy, §6-53-602.

Universities and colleges.

- Improvement districts.
- Approval of chapter.
 - Election method, §6-71-105.

ELEMENTARY SCHOOL

FUNDRAISING, §§6-18-1101 to 6-18-1105.

Certification.

- Education department to legislature, §6-18-1105.
- School districts individually, §6-18-1105.

Declarations of general assembly, §6-18-1101.**Definitions**, §6-18-1102.**Legislative findings**, §6-18-1101.**Notice of participation**, §6-18-1104.**Penalties**, §6-18-1103.**Procedure**, §6-18-1104.**Violations**, §6-18-1103.**E-MAIL.****Universities and colleges.**

- Privacy policy regarding electronic communications, §6-61-126.

EMERGENCIES.**Education.**

- Emergency plans for terrorist attacks, §6-15-1302.
- First aid personnel, §6-17-102.

EMINENT DOMAIN.**Agricultural colleges.**

- Arkansas State University, §6-65-203.
- Appeals, §6-65-203.
- Procedure, §6-65-203.

EMINENT DOMAIN —Cont'd**Agricultural colleges —Cont'd**

Southern Arkansas University,
§6-65-403.

Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

Education.

School districts.

Power granted school districts,
§6-13-103.

Educational television commission authority, §6-3-113.**Henderson State University.**

Appeals.

Attorney general to handle,
§6-66-112.

Authority of university, §6-66-112.

Prosecuting attorney to institute
proceedings, §6-66-112.

Resolution as to necessity, §6-66-112.

School districts.

Power granted, §6-13-103.

Universities and colleges.

Action brought in name of board of
trustees, §6-62-201.

Granting power to state colleges and
universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting
attorneys to represent board,
§6-62-201.

Procedure followed in action,
§6-62-201.

Resolution, §6-62-201.

EMPLOYERS AND EMPLOYEES.**Education.**

Existing workforce training act,
§§6-50-701 to 6-50-705.

See EXISTING WORKFORCE
TRAINING ACT.

University of Arkansas.

Accounts and accounting.

Monthly accounts, §6-64-1005.

Salaries and compensation, §6-64-210.

ENGLISH LANGUAGE.**Education.**

Basic language of instruction,
§6-16-104.

EQUITABLE SCHOOL FINANCE SYSTEM ACT.**School finance act generally,**

§§6-20-301 to 6-20-327.

See EDUCATION.

ETHICS.

Education, §§6-24-101 to 6-24-119.

EVIDENCE.**Controlled substances.**

Education.

Concealing drugs in school property.

Admissibility of evidence,
§6-21-608.

Education.

Concealing guns and drugs in school
property.

Admissibility of evidence obtained,
§6-21-608.

Director of general education.

Documents filed in office of director,
§6-11-117.

Narcotic drugs.

Education.

Concealing drugs in school property.

Admissibility of evidence,
§6-21-608.

Vocational education and rehabilitation.

Director of vocational and technical
education.

Documents filed in office, §6-11-117.

Weapons.

Schools.

Concealing guns in school property.

Admissibility of evidence,
§6-21-608.

Workforce education and career opportunities, state board of.

Copies of authenticated documents.

Admissibility, §6-11-204.

EXAMINATIONS.**Teachers.**

Physical examinations, §6-17-101.

EXISTING WORKFORCE TRAINING

ACT, §§6-50-701 to 6-50-705.

Basic skills training.

Defined, §6-50-702.

Citation, §6-50-701.**Creation of program, §6-50-703.****Definitions, §6-50-702.****Eligible recipients.**

Defined, §6-50-702.

Grant funds.

Uses, §6-50-705.

Program, §6-50-703.

Rules and regulations, §6-50-704.

Purpose, §6-50-703.**Rules and regulations, §6-50-704.****Short title, §6-50-701.****Tax credits, §6-50-704.**

Uses, §6-50-705.

EXISTING WORKFORCE TRAINING**ACT —Cont'd****Uses for grant funds or tax credits,**
§6-50-705.**EYE PROTECTION.****Education,** §6-10-113.

Universities and colleges, §6-61-108.

Vocational and technical schools,
§6-51-102.**F****FAX MACHINES.****Universities and colleges.**Privacy policy regarding electronic
communications, §6-61-126.**FEDERAL AID.****Agricultural colleges.**

Arkansas State University.

Participation in federal aid.

Authorized, §6-65-205.

Community colleges.

State community college board.

Administration of funds, §6-61-506.

Education.

Acceptance, §6-11-113.

Children in institutions.

Qualifications for federal benefits,
§6-11-120.Early childhood and adult education
act.State board of education to
administer federal funds,
§6-16-302.

Exceptional children.

Gifted and talented children.

Disbursing agency for federal
funds, §6-42-105.

Handicapped children, §6-41-221.

School districts.

Interest-free loans from federal
agencies.Acceptance by school district,
§6-20-411.

State board of education.

Designated as agency to receive and
administer, §6-11-114.Early childhood and adult
education act, §6-16-302.

State treasurer.

Trustee for funds, §6-11-113.

Henderson State University.

Participation in federal and state aid.

Authorized, §6-66-103.

Universities and colleges.

Board of higher education.

State agency for federal programs,
§6-61-212.**FEDERAL AID —Cont'd****Universities and colleges —Cont'd**Student incentive grant program,
§6-61-401.**University of Arkansas.**

Agricultural experiment stations.

Acceptance of federal aid, §6-64-701.

University of Central Arkansas.

Participation in federal and state aid.

Authorized, §6-67-104.

**Vocational education and
rehabilitation.**

State board of vocational education.

Designated as agency to receive and
administer, §6-11-114.Designation as state educational
authority, §6-11-113.**FEES.****Community colleges.**

Activity fees, §6-61-523.

Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.

Student fees, §6-61-523.

Corporations.

Educational institutions.

Payment to secretary of state,
§6-2-108.**Education.**

Advanced placement tests.

Subsidized fees, §6-16-804.

Summer school programs, §6-16-702.

**Residence and correspondence
schools.**

Extension course sites, §6-51-608.

Investigations.

Witness fees and mileage, §6-51-619.

Licenses, §6-51-610.

Satellite schools, §6-51-608.

Universities and colleges.

Aged persons.

Waiver of general student fee
charges for persons over sixty,
§6-60-204.

Motor vehicles.

License fees, §6-51-101.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.**University of Arkansas.**

Agricultural experiment stations.

Seed-testing laboratory, §6-64-711.

**University of Arkansas for medical
sciences.**

Medical department.

Collection and disposition,
§6-64-408.

FEES —Cont'd**University of Arkansas for medical sciences —Cont'd**

Medical department —Cont'd
Matriculation and tuition fees,
§6-64-408.

Vocational education and rehabilitation.

Motor vehicles used by schools exempt
from taxes and license fees,
§6-51-101.

Student fees, §6-51-208.

Disposition of income, §6-51-210.

FELONIES.**Education.**

Ethics violations, §6-24-115.

School districts.

Treasurers.

Fraudulent use of district funds,
§6-13-701.

Fraud.

Education.

School districts.

Fraudulent use of district funds
by treasurer, §6-13-701.

FINANCE.**Universities and colleges.**

See UNIVERSITIES AND
COLLEGES.

FINES.**Advertising.**

Correspondence courses, §6-11-119.

Agricultural colleges.

Board of trustees.

Violation of oath.

Arkansas State University,
§6-65-201.

Arkansas Tech University,
§6-65-301.

Southern Arkansas University,
§6-65-401.

Faculty and employees.

Hiring restrictions, §6-65-107.

Sale of farm products.

Disposition of proceeds, §6-65-110.

Alcoholic beverages.

Education.

Sales prohibited near educational
institutions, §6-2-113.

Minors.

Sales near schools, §6-2-113.

Schools.

Sales near, §6-2-113.

Arkansas Tech University.

Board of trustees.

Violation of oath, §6-65-301.

FINES —Cont'd**Bribery.**

Education.

Sale of school supplies, §6-21-410.

Brothels prohibited near educational institutions, §6-2-113.**Buses.**

School buses.

Loading and discharging pupils,
§6-19-110.

Control of contagious diseases.

Tuberculosis, §6-17-101.

Correspondence courses.

Advertising violations, §6-11-119.

Licenses, §6-51-612.

Violation of chapter, §6-51-615.

Education.

Alcoholic beverages.

Sales prohibited near educational
institutions, §6-2-113.

Annoying conduct by trespassers,
§6-21-606.

Attendance reports.

Falsification, §6-18-219.

Brothels.

Prohibited near educational
institutions, §6-2-113.

Commodities.

School officials prohibited from
having interest in sales,
§6-21-410.

Contracts and budgets.

Penalty for violations, §6-24-120.

Correspondence courses.

Advertisement of courses by
unapproved school, §6-11-119.

Degrees, diplomas and honors.

Conferred unlawfully, §6-2-111.

Elementary or secondary education.

School law violations, §6-10-102.

Smoking on school grounds,
§6-21-609.

Ethics violations, §6-24-115.

Fire hazards inspections, §6-21-106.

Gambling.

Prohibited near educational
institutions, §6-2-113.

Illegal acts involving school officials,
§6-21-410.

Insult or abuse of teacher, §6-17-106.

Language of instruction, §6-16-104.

Loitering on or near school grounds,
§6-21-607.

Postsecondary institutions.

Course requirements, §6-61-105.

Incorporation and certification
requirements, §6-61-301.

FINES —Cont'd**Education —Cont'd**

Revolving loan fund.

Fees charged for services performed,
§6-20-816.

School bus drivers.

Loading and discharging pupils,
§6-19-110.

School districts.

Fraudulent use of school district
funds by treasurer, §6-13-701.

School for the blind and deaf.

Attendance violations, §6-43-105.

Board of trustees.

Violation of oath, §6-43-101.

Smoking on school grounds, §6-21-609.

Textbooks.

Illegal acts involving school officials,
§6-21-410.

Trespassers.

Annoying conduct by, §6-21-606.

Tuberculosis tests.

Public school employees, §6-17-101.

Unlawful enrollment of students

outside district, §6-18-202.

Fraternities, sororities, etc.,

§6-18-602.

Fraud.

School districts.

Fraudulent use of district funds by
treasurer, §6-13-701.

Gambling prohibited near

educational institutions, §6-2-113.

Henderson State University.

Board of trustees.

Violation of oath, §6-66-101.

Loitering.

School grounds, §6-21-607.

Private residence and

correspondence schools.

Licenses.

Operating school without, §6-51-612.

Violations of chapter, §6-51-615.

Residence and correspondence

schools, §6-51-618.

School bus drivers.

Cell phone, use while driving bus,
§6-19-120.

Loading and discharging pupils,
§6-19-110.

School buses.

Seating, overcrowding, §6-19-119.

Schools.

Gambling near, §6-2-113.

Smoking, §6-21-609.

Smoking.

School grounds, §6-21-609.

Sororities, §6-18-602.**FINES —Cont'd****Southern Arkansas University.**

Board of trustees.

Violation of oath, §6-65-401.

Trespass.

Schools.

Annoying conduct by trespassers,
§6-21-606.

Tuberculosis tests.

Public school employees, §6-17-101.

University of Central Arkansas.

Board of trustees.

Violation of oath, §6-67-102.

FINGERPRINTING.**Education.**

Criminal background checks,
§6-17-417.

FIREFIGHTERS.**Scholarships.**

Children of firefighters, §§6-82-501 to
6-82-506.

FIRE MARSHAL.**Education.**

Fire marshal program, §6-10-110.

FIRES AND FIRE PREVENTION.**Education.**

Closing of schools for breaks.

Fire hazards inspection prior to,
§6-21-106.

Fire marshal program, §6-10-110.

Scholarships.

Universities and colleges.

Children of law enforcement officers
and firefighters.

See UNIVERSITIES AND
COLLEGES.

FLAGS.**Education.**

American flag.

Furnished schools, §6-16-105.

Instruction of pupils, §6-16-105.

Arkansas flag.

Display by public schools, §6-16-106.

Procurement by public schools,
§6-16-106.

Private schools.

United States flag.

Display by private schools,
§6-16-105.

FOOTBALL.**University of Arkansas.**

Athletics instruction fund, §6-64-1004.

Football coach.

Five-year contract authorized,
§6-64-1004.

FOOTBALL —Cont'd**University of Arkansas —Cont'd****Football coach —Cont'd**

Payment of salary from athletics instruction fund, §6-64-1004.

Radio broadcasts, §6-64-104.

FOOTHILLS TECHNICAL INSTITUTE.**Arkansas state university-Searcy.**

Merger and name change, §§6-56-101 to 6-56-110.

See ARKANSAS STATE UNIVERSITY-SEARCY.

FOREIGN LANGUAGE INSTRUCTION.

Early grades foreign language pilot program, §6-16-128.

Foreign language teacher training program, §6-16-127.

FORMS.**Universities and colleges.**

Improvement districts.

Assessments.

Collection of assessments, §§6-71-116, 6-71-117.

FOSTER CHILDREN.

Education funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

See EDUCATION.

FOUR-DAY SCHOOL WEEK, §6-10-117.**FOUR-H CLUBS.**

Equal treatment for 4-H member students, §6-18-220.

Excused school absences, §6-18-220.

FRATERNITIES.

General provisions, §§6-18-601 to 6-18-607.

See EDUCATION.

FRAUD.**Education.**

School districts.

Treasurers.

Penalty for fraudulent use of funds, §6-13-701.

Warrants for the payment of money.

Fraudulent issuance, §6-20-407.

FREEDOM OF INFORMATION.**Blind persons.**

Information technology access for the blind.

See BLIND PERSONS.

FREE TEXTBOOK ACT.

Textbooks generally, §§6-21-401 to 6-21-413.

See EDUCATION.

FUNDRAISERS.

Elementary school fundraising, §§6-18-1101 to 6-18-1105.

See ELEMENTARY SCHOOL FUNDRAISING.

FUNDS.

Arkansas construction industry craft training trust fund, §6-55-107.

Arkansas school for mathematics, science and arts fund, §6-42-307.

Arkansas State University-Beebe fund, §6-65-216.

Budget stabilization trust fund.

Revenue stabilization law.

Loans from fund.

School districts.

Loans to local school districts, §6-20-803.

Construction industry craft training trust fund, §6-55-106.

Corporate income tax withholding fund.

Educational institutions.

Use of funds or property, §6-2-103.

Corporations.

Educational institutions.

Use of funds or property, §6-2-103.

Educational television.

Revolving cash fund.

Audit, §6-3-109.

Authorized, §6-3-109.

Records, §6-3-109.

Foster children.

Education funds, §§6-20-501 to 6-20-510.

See EDUCATION.

Handicapped children.

Education funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

See EDUCATION.

Higher education consolidation matching fund, §6-60-102.

Residence and correspondence schools.

Private career school student protection trust fund, §6-51-607.

Revenue stabilization law.

Budget stabilization trust fund.

Loans from fund.

School districts.

Loans to local school districts, §6-20-803.

FUNDS —Cont'd**Student loans.**

Guaranty foundation.

See STUDENT LOANS.

Trust funds.

Private career school student protection trust fund, §6-51-607.

Universities and colleges.

Faculty/administrator development fellows program.

Matching funds.

See UNIVERSITIES AND COLLEGES.

Higher education consolidation matching fund, §6-60-102.

Research development.

See UNIVERSITIES AND COLLEGES.

University of Central Arkansas.

Board of trustees.

Duties of treasurer of state, §6-67-111.

Vocational education and rehabilitation.

Housing construction program.

Building trades revolving fund.

Creation, §6-51-501.

Disbursing officer.

Designation, §6-51-510.

Sale of units.

Deposit of sale money in fund, §6-51-508.

FUTURE FARMERS OF AMERICA.**Education.**

Compulsory attendance, §6-18-220.

G**GAMBLING.****Corporations.**

Educational institutions.

Prohibitions, §6-2-113.

GAME AND FISH.**Conservation.**

Public school instruction in conservation, §6-16-1101.

GARLAND COUNTY COMMUNITY COLLEGE.**Name change,** §§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY COLLEGE.

President.

Housing allowance, §6-61-525.

GATEWAY**VOCATIONAL-TECHNICAL SCHOOL, BATESVILLE.****Institution designated as technical college,** §6-53-301.**GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM,** §§6-82-1501 to 6-82-1506.**GIFTED CHILDREN.****Charter schools.**

General provisions, §§6-23-101 to 6-23-601.

See CHARTER SCHOOLS.

GIFTS.**Corporations.**

Educational institutions.

Bequests, gifts or devises for particular purposes, §6-2-112.

Education.

Early childhood and adult education act.

Acceptance of gifts, grants and donations, §6-16-303.

Lab equipment.

Donation of equipment seized under drug paraphernalia law, §6-21-102.

School districts.

Public recreation and playgrounds.

Acceptance of gifts and bequests, §6-21-503.

School lunch program.

Acceptance, §6-20-706.

Textbooks.

Illegal acts involving school officials, §6-21-410.

University of Arkansas.

Research, education and technical extension.

Research services.

Acceptance of grants and gifts, §6-64-905.

Vocational education and rehabilitation.

Area vocational-technical and adult education schools.

Acceptance of gifts and donations, §6-51-207.

GOVERNOR.**Education.**

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

Scholarships.

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

GRANTS.**Adult education.**

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Education.

Advanced placement incentive program, §6-16-804.

Funding for program, §6-16-805.

Ethics.

Effect, §6-24-113.

Teacher and administrator enhancement and retraining grant programs, §§6-81-601 to 6-81-606.

See TEACHERS.

Parents as teachers program.

Eligibility of school districts, §6-10-109.

Teacher certification.

Alternative certification, §6-17-409.

Universities and colleges.

Selective service act.

Compliance with required, §6-80-102.

GUARDIAN AD LITEM.**Universities and colleges.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad litem for persons under a disability, §6-71-138.

H**HAND-HELD LASER POINTERS.****Student possession.**

Seizure authorized, §6-18-512.

HANDICAPPED PERSONS.**Education.**

Education funds for children with disabilities or foster children, §§6-20-501 to 6-20-510.

See EDUCATION.

Visually impaired person.

See BLIND PERSONS.

HARASSMENT.**Education.**

Policies to prevent bullying and harassment, §6-18-514.

HAZING.**Aiding and abetting.**

Prohibited, §6-5-202.

HAZING —Cont'd

Construction and interpretation, §6-5-204.

Conviction of hazing.

Expulsion upon conviction, §6-5-203.

Definitions, §6-5-201.

Expulsion upon conviction of hazing, §6-5-203.

Misdemeanors, §6-5-203.

Penalties, §6-5-203.

Prohibited, §6-5-202.

Reports.

Aiding, allowing or failing to report hazing.

Prohibited, §6-5-202.

HEALTH.**Education.**

Employees.

Certificate of health, §6-17-101.

Immunization required, §6-18-702.

Physical examinations, §6-18-701.

School-based health clinics, §6-18-703.

Teachers.

Certificate of health, §6-17-101.

Penalty for violation, §6-17-101.

Tuberculosis.

Examination of school personnel without charge, §6-17-101.

HEARINGS.**Education.**

Fair hearing law, §§6-17-1701 to 6-17-1705.

See EDUCATION.

Quality education act.

Development of regulations and standards, §6-15-202.

Residence and correspondence schools, §6-51-618.

HEAVY EQUIPMENT OPERATORS.

Arkansas heavy equipment operator training academy, §§6-61-531 to 6-61-533.

HELENA.**A-Lift program.**

Teacher development, §6-1-202.

HENDERSON STATE UNIVERSITY.**Accounts and accounting.**

Board of trustees, §6-66-110.

Appeals.

Board of trustees.

Removal of members, §6-66-101.

Eminent domain.

Attorney general to handle, §6-66-112.

HENDERSON STATE UNIVERSITY

—Cont'd

Attorney general.

Eminent domain.

Appeals handled by attorney
general, §6-66-112.**Board of trustees.**

Accounts and accounting, §6-66-110.

Appointment of members, §6-66-101.

Composition, §6-66-101.

Creation, §6-66-101.

Duties, §6-66-102.

Expenditures.

Limitations, §6-66-111.

Expenses of members, §6-66-101.

Number of members, §6-66-101.

Oath of office of members, §6-66-101.

Officers, §6-66-101.

Powers, §6-66-102.

Qualifications of members, §6-66-101.

Quorum, §6-66-101.

Removal of members, §6-66-101.

Reports, §6-66-113.

Residence requirements for
membership, §6-66-101.Treasurer custodian of funds,
§6-66-110.

Vacancies, §6-66-101.

Eminent domain.

Appeals.

Attorney general to handle,
§6-66-112.

Authority of university, §6-66-112.

Prosecuting attorney to institute
proceedings, §6-66-112.

Resolution as to necessity, §6-66-112.

Expenditures.

Limitations, §6-66-111.

Federal aid.Participation in federal and state aid.
Authorized, §6-66-103.**Oaths.**

Board of trustees.

Oath of office, §6-66-101.

Penalties.

Board of trustees.

Oath of office.

Violation, §6-66-101.

Prosecuting attorneys.

Eminent domain.

Proceedings instituted by
prosecuting attorney, §6-66-112.**Reports.**

Board of trustees, §6-66-113.

State aid.Participation in federal and state aid.
Authorized, §6-66-103.**HENDERSON STATE UNIVERSITY**

—Cont'd

State treasurer.

Board of trustees.

Funds.

Custodian of funds, §6-66-110.

Warrants for the payment of money.

Board of trustees.

Issuance of warrants by auditor,
§6-66-110.**HIGH COST TRANSPORTATION
FUNDING FORMULA,**

§§6-20-1701 to 6-20-1716.

Adjustment factors, §6-20-1708.High cost transportation adjustment
factor, §6-20-1709.**Annexation and consolidation
incentive,** §6-20-1712.**Calculation of transportation aid,**
§6-20-1703.

Components, §6-20-1704.

Definitions, §6-20-1702.**Density chart,** §6-20-1715.**Disaster aid,** §6-20-1713.**Handicapped aid,** §6-20-1711.**Maximum base aid,** §6-20-1707.**Minimum transportation aid,**
§6-20-1706.**Miscellaneous provisions,** §6-20-1714.**Modification of transportation aid,**
§6-20-1705.**Title,** §6-20-1701.**Worksheet,** §6-20-1716.**Workshop aid,** §6-20-1710.**HIGHER EDUCATION.****Department of higher education.**See UNIVERSITIES AND
COLLEGES.**HIGHER EDUCATION AWARENESS
PROGRAM,** §§6-5-401 to 6-5-404.**HIGH SCHOOLS.****American College Test assessment
assistance pilot program,**
§§6-18-401 to 6-18-408.**HIGH-TECH SCHOLARSHIP
PROGRAM.****General provisions,** §§6-82-401 to
6-82-410.

See EDUCATION.

HISTORY.**Universities and colleges.**Course in American history and civil
government.

Required, §6-61-105.

HOLIDAYS AND MEMORIAL DAYS.**Education.**

Patriotic observances, §6-16-107.

HOME SCHOOLS, §§6-15-501 to 6-15-508.

HOME SOLICITATION SALES.

Elementary school fundraising, §§6-18-1101 to 6-18-1105.

Certification.

Education department to legislature, §6-18-1105.

School districts individually, §6-18-1105.

Declarations of general assembly, §6-18-1101.

Definitions, §6-18-1102.

Legislative findings, §6-18-1101.

Notice of participation, §6-18-1104.

Penalties, §6-18-1103.

Procedure, §6-18-1104.

Violations, §6-18-1103.

HOUSES OF PROSTITUTION.

Where prohibited, §6-2-113.

HUMAN SERVICES DEPARTMENT.

Rehabilitation services division.

Transfer to department of education generally, §§6-52-101 to 6-52-105.

See VOCATIONAL EDUCATION AND REHABILITATION.

I

IDENTIFICATION CARDS.

Universities and colleges.

Student or employee identification cards.

Prohibited use of social security number, §6-61-126.

ILLITERACY.

Community colleges.

Reorganization act of 1991.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Vocational education and rehabilitation.

Combating illiteracy.

Priority, §6-51-104.

Postsecondary vocational and technical education.

Reorganization act of 1991.

Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

IMMUNITY.

Education.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

IMMUNITY —Cont'd

Education —Cont'd

School worker defense program, §§6-17-1113, 6-17-1118.

School buses.

Directors exempt, §6-19-103.

Drivers.

Injury or death of pupils, §6-19-105.

Schools.

Corporal punishment administered by school employees.

Immunity generally, §6-17-112.

Tax-deferred tuition savings program, §6-84-112.

Teachers.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

School worker defense program, §§6-17-1113, 6-17-1118.

IMMUNIZATION.

Education.

Enforcement, §6-18-702.

Exceptions, §6-18-702.

Penalty for violation, §6-18-702.

Required, §6-18-702.

Private schools.

Enforcement of act, §6-18-702.

Exceptions, §6-18-702.

Required, §6-18-702.

Universities and colleges.

Immunization of enrollees, §§6-60-501 to 6-60-504.

See UNIVERSITIES AND COLLEGES.

IMPROVEMENT DISTRICTS.

Universities and colleges, §§6-71-101 to 6-71-142.

See UNIVERSITIES AND COLLEGES.

IMPROVEMENTS.

Community colleges.

Bond issues for capital improvements generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Technical colleges.

Bond issues for capital improvements, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

INCOME WITHHOLDING.**University and college employees.**

Deductions for contributions to institutional fundraising, foundations and capital campaigns, §6-63-304.

INFORMATION TECHNOLOGY.**Access for the blind.**

Information technology access for the blind.

See BLIND PERSONS.

INITIATIVE AND REFERENDUM.**School districts.**

Creation by detaching territory from another district.

Election on proposition, §6-13-1504.

INJUNCTIONS.**Residence and correspondence schools.**

Enjoining violations of provisions, §6-51-604.

INJURIES.**School buses.**

Drivers.

Liability for injury to pupils, §6-19-105.

IN REM PROCEEDINGS.**Universities and colleges.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

INSPECTIONS.**Education.**

Fire hazards inspection prior to closing for breaks, §6-21-106.

INSTITUTION FOR ADVOCACY

FOR THE BLIND, §§6-61-115 to 6-61-117.

INSTITUTION FOR ADVOCACY

FOR THE DEAF, §§6-61-118 to 6-61-120.

INSURANCE.**Education.**

Motor vehicles.

Self-insurance, §§6-21-701 to 6-21-711.

See EDUCATION.

Public school employees, §§6-17-1109 to 6-17-1117.

See EDUCATION.

Schoolhouses.

Self-insurance, §§6-20-1501 to 6-20-1515.

See EDUCATION.

INSURANCE —Cont'd**School buses.**

Drivers eligible to participate in public school employees' insurance program, §6-17-1116.

School motor vehicles.

Self-insurance, §§6-21-701 to 6-21-711.

See EDUCATION.

Schools.

Public school employees, §§6-17-1109 to 6-17-1117.

See EDUCATION.

Teachers.

Salaries.

Deductions for group insurance premium, §6-17-804.

Universities and colleges.

Employees.

Salary deductions for group insurance premiums, §6-63-102.

Transfer and lease of state university property.

Title insurance, §6-62-611.

Vocational education and rehabilitation.

Accident insurance for students, §6-51-209.

INTEREST.**Bond issues.**

Education.

District school bonds, §6-20-1206.

Education.

Bond issues.

District school bonds, §6-20-1206.

Technical college or community college capital improvement bonds, §6-61-1007.**Universities and colleges.**

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

University of Arkansas.

Revolving loan fund, §6-81-404.

Adding of interest to revolving perpetual fund, §6-81-408.

INTERNET.**School districts.**

Access policies, §6-21-107.

Internet filters required, §6-21-111.

INTERSTATE COMPACTS.**Education.**

Compact for education, §§6-4-201 to 6-4-203.

See EDUCATION.

Southern regional education compact, §§6-4-101 to 6-4-107.

See EDUCATION.

INVESTIGATIONS.**Education.**

Allegations of employee criminal misconduct, §6-17-407.

Student criminal acts, §6-17-113.

Residence and correspondence schools, §6-51-618.**University of Arkansas.**

Agricultural experiment stations, §§6-64-703, 6-64-704.

University of Arkansas for medical sciences.

Medical department.

Rural medical practice student loans and scholarships.

Applications to be investigated, §6-81-704.

INVESTMENTS.**Education.**

Schoolhouses.

Self-insurance.

Reserve funds, §6-20-1514.

Student loans.

Bond issues.

Excess funds, §6-81-122.

Legal and authorized investments, §6-81-120.

Tax-deferred tuition savings program.

Direction of investment, §6-84-106.

Investment committee, §6-84-105.

Tax exemptions, §6-84-111.

Universities and colleges.

Transfer and lease of state university property, §6-62-613.

University of Arkansas.

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds, §6-64-615.

J**JOB TRAINING.****Existing workforce training act, §§6-50-701 to 6-50-705.**

See EXISTING WORKFORCE TRAINING ACT.

State board of workforce education and career opportunities, §§6-11-201 to 6-11-207.**JUNIOR COLLEGES.****Community colleges.**

Division of community junior colleges.

Creation, §6-61-504.

JURY.**Universities and colleges.**

Improvement districts.

Real property.

Petition to acquire private property.

Trial by jury, §6-71-140.

JUVENILE DETENTION FACILITIES.**Education.**

Reimbursement for educational services, §6-20-104.

K**KICKBACKS.****Education.**

Ethics, §6-24-112.

KIDS-FOR-HEALTH PROGRAM, §§6-16-1001, 6-16-1002.**L****LABOR.****Vocational education.**

Apprenticeship training program, §§6-52-201 to 6-52-208.

State board of workforce education and career opportunities, §§6-11-201 to 6-11-207.

LAW ENFORCEMENT OFFICERS.**Police.**

Police corps program, §§6-82-1201 to 6-82-1206.

School violence.

Duty to investigation, §6-17-113.

LAW SCHOOL.**University of Arkansas.**

General provisions, §§6-64-601 to 6-64-621.

See UNIVERSITY OF ARKANSAS.

LEASES.**Education.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated, §6-13-624.

Universities and colleges.

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

See UNIVERSITIES AND COLLEGES.

University of Arkansas.

Research, education and technical extension.

Leases authorized, §6-64-908.

LEE'S BIRTHDAY.**Schools.**

Patriotic observance, §6-16-107.

LIBRARIES.**Public schools.**

Media and technology act, §§6-25-101 to 6-25-106.

University of Arkansas.

Research, education and technical extension.

Computer and technical library facilities authorized, §6-64-904.

LICENSES.**Community colleges.**

Motor vehicles used by schools exempt from license fees, §6-51-101.

Vocational education and rehabilitation.

Motor vehicles used by schools exempt from license fees, §6-51-101.

LIENS.**Universities and colleges.**

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

Actions to enforce lien.

See UNIVERSITIES AND COLLEGES.

LIMITATION OF ACTIONS.**University of Arkansas.**

Revolving loan fund.

Defenses invalid, §6-81-407.

LIMITED CHARTER SCHOOLS,
§6-23-601.**LOANS.****Corporations.**

Educational institutions.

Power to borrow for the construction of facilities, §6-2-110.

Education.

Student loans.

General provisions.

See STUDENT LOANS.

Universities and colleges.

Private borrowing by institutions of higher education, §6-62-105.

Selective service act.

Compliance with required, §6-80-102.

Student financial aid.

Anti-stacking, §6-80-105.

LOCAL GOVERNMENTS.**County-wide sales and use tax for capital improvements.**

Satellite campuses of community colleges.

Designation of undedicated tax, §6-53-307.

LOCAL GOVERNMENTS —Cont'd
County-wide sales and use tax for capital improvements —Cont'd

Technical college support.

Designation of undedicated tax, §6-53-307.

LOITERING.**Education.**

Loitering on or near school grounds, §6-21-607.

M**MENTAL HEALTH.****Education.**

Institutionalized children.

Programs for, §6-11-120.

MID-SOUTH**VOCATIONAL-TECHNICAL SCHOOL, WEST MEMPHIS.**

Institution designated as technical college, §6-53-301.

MILITARY AFFAIRS.**Education.**

School districts.

Directors.

Contracts for military training equipment, §6-21-103.

Permitting recruiters equal access to school facilities and records, §6-13-626.

Vacancies created by directors entering armed forces, §6-13-613.

Recruiters.

School districts.

Directors to permit equal access to school facilities and records, §6-13-626.

Universities and colleges.

Military training property and equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or killed in action.

Tuition.

Free tuition and fees for dependents, §6-82-601.

Students called into military service, §6-61-112.

Tuition.

In-state tuition for military personnel and dependents, §6-60-205.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

MILITARY AFFAIRS —Cont'd
Universities and colleges —Cont'd

Tuition —Cont'd

Veterans having served between
 September 16, 1940, and
 December 31, 1946.

Children of certain veterans,
 §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

MINES AND MINERALS.

Agricultural colleges.

Arkansas Polytechnic College.

Lease of mineral lands authorized,
 §6-65-304.

Proceeds of lease, §6-65-304.

Education.

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
 §6-13-624.

MINORITIES.

**Critical needs minority teacher
 scholarship program, §§6-82-1501
 to 6-82-1506.**

Education.

Administrator recruitment plan,
 §§6-17-1901, 6-17-1902.

School district elections.

Impact of minority population,
 §6-13-631.

Teachers.

Recruitment advisory council,
 §6-17-1903.

Recruitment plan, §§6-17-1901,
 6-17-1902.

Scholarship or grant program.

Annual review by state board of
 education, §6-82-102.

Teachers.

Recruitment and training program.

Recruitment advisory council,
 §6-17-1903.

Recruitment plan, §§6-17-1901,
 6-17-1902.

Scholarships.

Critical needs minority teacher
 scholarship program,
 §§6-82-1501 to 6-82-1506.

MINORS.

Elementary school fundraising,
 §§6-18-1101 to 6-18-1105.

See **ELEMENTARY SCHOOL
 FUNDRAISING.**

MINORS —Cont'd

Foster children.

Education funds for children with
 disabilities and foster children,
 §§6-20-501 to 6-20-510.

See **EDUCATION.**

Mental health.

Educational programs for children in
 institutions, §6-11-120.

Student loans.

Defense of minority unavailable,
 §6-81-125.

Universities and colleges.

Early childhood development and
 teaching.

See **UNIVERSITIES AND
 COLLEGES.**

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners
 under a disability,
 §6-71-137.

**University of Arkansas for medical
 sciences.**

Medical department.

Rural medical practice student loans
 and scholarships.

Disability of minority removed,
 §6-81-709.

MISDEMEANORS.

Advertising.

Correspondence courses, §6-11-119.

Alcoholic beverages.

Education.

Providing students with alcoholic
 beverages, §6-2-113.

Sales prohibited near educational
 institutions, §6-2-113.

Bond issues.

Education.

District school bonds.

Charging brokerage fees or
 commissions, §6-20-1206.

Bribery.

Education.

Sale of textbooks and other
 instructional materials,
 §6-21-410.

**Brothels prohibited near
 educational institutions, §6-2-113.**

Correspondence courses.

Advertising violations, §6-11-119.

Discrimination.

Education.

Discrimination against students,
 §6-10-114.

MISDEMEANORS —Cont'd**Education.**

- Agricultural colleges.
- Faculty and employees.
- Hiring restrictions, §6-65-107.
- Sale of farm products.
- Disposition of proceeds, §6-65-110.
- Alcoholic beverages.
- Providing to students, §6-2-113.
- Sales prohibited near educational institutions, §6-2-113.
- Annoying conduct by trespassers, §6-21-606.
- Arkansas State University.
- Board of trustees.
- Violation of oath, §6-65-201.
- Arkansas Tech University.
- Board of trustees.
- Violation of oath, §6-65-301.
- Attendance reports.
- Falsification, §6-18-219.
- Bond issues.
- Charging brokerage fees or commissions, §6-20-1206.
- Brothels.
- Prohibited near educational institutions, §6-2-113.
- Commodities.
- Acquisition, §6-21-302.
- Contracts and budgets.
- Penalty for violations, §6-24-120.
- Correspondence courses.
- Advertisement of courses by unapproved school, §6-11-119.
- Degrees, diplomas and honors.
- Conferred unlawfully, §6-2-111.
- Discrimination against students, §6-10-114.
- Elementary or secondary education.
- Discrimination against students, §6-10-114.
- School law violations, §6-10-102.
- Smoking on school grounds, §6-21-609.
- Fire hazards inspections, §6-21-106.
- Fraternities, sororities, etc., §6-18-602.
- Gambling.
- Enticing students to gamble or furnishing gambling devices, §6-2-113.
- Prohibited near educational institutions, §6-2-113.
- Hazing, §6-5-203.
- Henderson State University.
- Board of trustees.
- Violation of oath, §6-66-101.
- Immunization, §6-18-702.
- Insult or abuse of teacher, §6-17-106.

MISDEMEANORS —Cont'd**Education —Cont'd**

- Language of instruction, §6-16-104.
- Loitering on or near school grounds, §6-21-607.
- Postsecondary institutions.
- Course requirements, §6-61-105.
- Incorporation and certification requirements, §6-61-301.
- Private residence and correspondence schools.
- Denial or suspension of admissions representative's license, §6-51-615.
- Operating school without license, §6-51-612.
- Violations of chapter, §6-51-615.
- Revolving loan fund.
- Fees charged for services performed, §6-20-816.
- Safety patrols.
- Consent requirements, §6-18-804.
- School bus drivers.
- Certification, §6-19-108.
- Loading and discharging pupils, §6-19-110.
- School districts.
- Warrants for the payment of money.
- Fraudulent issuance, §6-20-407.
- School for the blind and deaf.
- Attendance violations, §6-43-105.
- Board of trustees.
- Violation of oath, §6-43-101.
- Smoking on school grounds, §6-21-609.
- Southern Arkansas University.
- Board of trustees.
- Violation of oath, §6-65-401.
- Textbooks.
- Illegal acts involving school officials, §6-21-410.
- Trespassers.
- Annoying conduct by, §6-21-606.
- Tuberculosis tests.
- Public school employees, §6-17-101.
- University of Arkansas.
- Records and reports regarding students and teachers.
- Failure to keep or report, §6-64-215.
- University of Central Arkansas.
- Board of trustees.
- Violation of oath, §6-67-102.
- Unlawful enrollment of students outside district, §6-18-202.
- Vandalizing schools, §6-21-605.
- Fraternities, §6-18-602.**

MISDEMEANORS —Cont'd**Fraud.**

Education.

School districts.

Warrants for the payment of money.

Fraudulent issuance, §6-20-407.

Gambling.

Education.

Enticing students to gamble or furnishing gambling devices, §6-2-113.

Gambling prohibited near educational institutions, §6-2-113.

Hazing, §6-5-203.**Immunization.**

School children, §6-18-702.

Loitering.

School grounds, §6-21-607.

School bus drivers.

Cell phone, use while driving bus, §6-19-120.

Certification, §6-19-108.

Loading and discharging pupils, §6-19-110.

School buses.

Seating, overcrowding, §6-19-119.

Smoking.

School grounds, §6-21-609.

Sororities, §6-18-602.**Trespass.**

Schools.

Annoying conduct by trespassers, §6-21-606.

Tuberculosis tests.

Public school employees, §6-17-101.

University of Arkansas.

Records and reports regarding students and teachers.

Failure to keep or report, §6-64-215.

Vandalism.

School property, §6-21-605.

MISSING IN ACTION.**Universities and colleges.**

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

MISSISSIPPI COUNTY**COMMUNITY COLLEGE.****Name change, §§6-59-101 to 6-59-111.**

See ARKANSAS NORTHEASTERN COLLEGE.

President.

Housing allowance, §6-61-525.

MISSISSIPPI COUNTY**COMMUNITY COLLEGE —Cont'd****University center, §6-61-528.**

Creation, §6-61-528.

Purposes, §6-61-528.

MONTICELLO.**A-Lift program.**

Teacher development, §6-1-202.

MORTGAGES AND DEEDS OF TRUST.**Universities and colleges.**

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

MOTOR VEHICLE ACCIDENTS.**Driver education.**

Removal of vehicle involved in accident.

Instruction concerning.

Inclusion in high school programs, §6-16-507.

MOTOR VEHICLE REGISTRATION.**School buses.**

Exemption from registration, §6-19-113.

MOTOR VEHICLES.**Community colleges.**

Exemption from taxes and license fees, §6-51-101.

Registration of vehicles used for school purposes, §6-51-101.

Driver education.

Accidents.

Removal of vehicle involved in accident.

Instruction concerning.

Inclusion in high school programs, §6-16-507.

High school programs.

Accidents.

Removal of vehicle involved in accident.

Instruction concerning, §6-16-507.

Removal of vehicle involved in accident.

Instruction concerning, §6-16-507.

Residence and correspondence schools.

Defensive driving instruction, §6-51-623.

Noncommercial driver training instruction, §6-51-622.

Education.

Attendance.

Excessive unexcused absences.

Suspension of driving privileges, §6-18-222.

MOTOR VEHICLES —Cont'd**Education —Cont'd**

Safety patrols.

No direction of vehicular traffic,
§6-18-803.

School buses generally, §§6-19-101 to
6-19-119.

See SCHOOL BUSES.

Universities and colleges.

Driver education and training
programs, §6-61-109.

**Vocational education and
rehabilitation.**

Exemption from taxes and license fees,
§6-51-101.

Registration of vehicles used for school
purposes, §6-51-101.

MUNICIPAL CORPORATIONS.**University of Arkansas for medical
sciences.**

State medical center.

Quota of patients from
municipalities, §6-64-505.

Failure to pay, §6-64-507.

Statement mailed to
municipalities, §6-64-507.

MUSIC INSTRUCTION, §6-16-130.**Future art and music teacher's pilot
program, §6-16-131.****N****NAMES.****Corporations.**

Educational institutions.

Change of name or charter
provisions, §6-2-107.

Effective upon approval by board,
§6-2-107.

Criminal background checks.

Education, §6-17-417.

Deaf persons.

School for the deaf, §6-43-301.

**University of Arkansas for medical
sciences.**

Medical department, §6-64-401.

NARCOTIC DRUGS.**Education.**

Concealing drugs.

Confiscation without warrant,
§6-21-608.

Definitions, §6-21-608.

Discipline, §6-21-608.

Evidence.

Admissibility of evidence obtained,
§6-21-608.

NARCOTIC DRUGS —Cont'd**Education —Cont'd**

Concealing drugs —Cont'd

School officials.

Defined, §6-21-608.

School-owned property.

Defined, §6-21-608.

School premises.

Defined, §6-21-608.

Supervisor.

Defined, §6-21-608.

Unlawful, §6-21-608.

Evidence.

Education.

Concealing drugs in school property.

Admissibility of evidence,
§6-21-608.

NATIONAL GUARD.**Community colleges.**

Participants in the tuition assistance
plan.

Tuition waiver for soldiers and
airmen, §6-60-211.

Tuition assistance plan, §6-60-211.**Universities and colleges.**

Participants in the tuition assistance
plan.

Tuition waiver for soldiers and
airmen, §6-60-211.

NATIONAL PARK COMMUNITY

COLLEGE, §§6-58-101 to 6-58-112.

Board of trustees, §6-58-103.**Catastrophic leave program.**

Effect of merger, §6-58-106.

Certificate and degree programs.

Effect of merger, §6-58-107.

Curriculum.

Effect of merger, §6-58-107.

Definitions, §6-58-101.**Election of trustees, §6-58-103.****Faculty and employees.**

Effect of merger, §§6-58-104 to
6-58-106.

Garland county community college.

Name change and merger, §6-58-102.

Health insurance plans.

Effect of merger, §§6-58-104 to
6-58-106.

**House construction programs,
§6-58-108.****Legal authority, §6-58-109.****Purchasing, §6-58-108.****Quapaw technical institute.**

Conversion of positions and maximum
salaries, §6-58-112.

Name change and merger, §6-58-102.

NATIONAL PARK COMMUNITY COLLEGE —Cont'd

Sick leave.

Effect of merger, §6-58-105.

Transfer of assets, §6-58-109.

Workforce 2000 development fund, §6-58-110.

NEPOTISM.

Agricultural colleges.

Districts.

Schools.

Penalty, §6-65-107.

Education.

State board of education.

Director of general education.

Restrictions on who may serve as,
§6-11-102.

Director of vocational and technical
education.

Restrictions on who may serve as,
§6-11-102.

University of Arkansas.

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Vocational education and rehabilitation.

Director of vocational and technical
education.

Restrictions on who may serve as,
§6-11-102.

NONPROFIT CORPORATIONS (1987).

Student loan authority.

Formation of nonprofit special purpose
corporations, §6-81-129.

Student loans.

Nonprofit corporation in lieu of
authority, §6-81-103.

NONRESIDENTS.

Universities and colleges.

Admission.

Regulation of admission and
enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where
owners nonresidents,
§6-71-137.

NORTH ARKANSAS COMMUNITY COLLEGE.

President.

Housing allowance, §6-61-525.

NOTES.

Student loan authority.

See STUDENT LOANS.

Universities and colleges.

Buildings.

See UNIVERSITIES AND
COLLEGES.

NOTICE.

Corporations.

Educational institutions.

Meetings, §§6-2-104, 6-2-107.

Education.

County boards of education.

Meetings, §6-12-304.

Elections.

School elections, §6-14-109.

Polling places.

Identification, §6-14-106.

Home-schooled students.

Notice of intent to provide home
schooling, §6-15-503.

Insurance.

Public school employees.

Life and health insurance.

Bid proposals, §6-17-1109.

Quality education act.

Failure to meet minimum standards.

Public notice of probationary
status schools, §6-15-208.

Failure to meet standards,
§6-15-203.

Revolving loan fund.

Bond issues.

Sale of bonds, §6-20-1008.

School districts.

Fiscal assessment and
accountability, §6-20-1905.

School term.

Notice of beginning, §6-10-107.

Elections.

Technical college districts.

Formation and ad valorem tax levy,
§6-53-602.

Residence and correspondence schools.

Investigations and hearings,
§6-51-618.

Notice of possible violations,
§6-51-604.

Injunctions, §6-51-604.

Response by recipient, §6-51-604.

Student loans.

Bond issues.

Sale of obligations, §6-81-112.

Teachers.

Dismissal of teachers.

Notice of termination
recommendation, §6-17-1507.

NOTICE —Cont'd**Teachers —Cont'd**

- Dismissal of teachers —Cont'd
- Renewal of contracts, §6-17-1506.
- Suspension, §6-17-1508.

Technical college districts.

- Election on formation and tax levy, §6-53-602.

Universities and colleges.

- Buildings.
- Bond issues.
 - Commission on coordination of higher education finance, §6-62-306.
- Improvement districts.
 - Assessments, §§6-71-107, 6-71-113.
 - Actions to enforce lien.
 - Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.
 - Publication of notice for collection, §6-71-117.
 - Sale of property to enforce lien, §6-71-128.
- Public notice of passage of chapter, §6-71-105.
- Real property.
 - Petition to acquire private property, §6-71-140.

Vocational education and rehabilitation.

- Housing construction program.
- Auction notice, §6-51-507.
- Published notice of proposed purchases, §6-51-503.

NURSES.**Academic challenge scholarship program, §§6-82-1001 to 6-82-1010.**

- Generally.
- See SCHOLARSHIPS.
- Nursing school eligibility, §6-82-1007.

Advanced nursing practice and nurse educator loans and scholarships, §§6-81-1201 to 6-81-1209.

- Conditions.
 - Rural advanced nursing practice or nurse educator loan contracts, §6-81-1204.
- Construction of provisions, §6-81-1209.
- Definitions, §6-81-1201.
- Rural advanced nursing practice or nurse educator loans.
 - Conditions and obligations, §6-81-1204.
 - Eligibility, §6-81-1203.

NURSES —Cont'd**Education.**

- School nurse, §6-18-704.
- Nursing student loan revolving fund, §§6-81-1401 to 6-81-1412.**
 - Administration, §6-81-1402.
 - Application process, §6-81-1402.
 - Calculation of loan amount, §6-81-1404.
 - Cancellation of loan, §6-81-1411.
 - Conditions of repayment, §§6-81-1409, 6-81-1410.
 - Establishment, §6-81-1401.
 - Forgiveness of loan, §6-81-1411.
 - Interest, §6-81-1410.
 - Loan eligibility, §6-81-1403.
 - Powers and duties of board, §§6-81-1403, 6-81-1404.
 - Renewal, §§6-81-1406, 6-81-1407.
 - Repayment conditions, §§6-81-1409, 6-81-1410.
 - Rulemaking authority, §6-81-1412.
 - Term of loan, §6-81-1405.
 - Written loan contract, §6-81-1408.

School nurse, §6-18-704.**Student loans.**

- Advanced nursing, §§6-81-1201 to 6-81-1210. See within this heading, "Advanced nursing practice and nurse educator student loans and scholarships."

Vocational education and rehabilitation.

- Associate of applied science degree.
 - Establishment of program, §6-51-701.
 - Granting, §6-51-703.
 - Nature of program, §6-51-702.

O**OATHS.****Agricultural colleges.**

- Arkansas state university.
 - Board of trustees.
 - Oath of office of members, §6-65-201.
- Arkansas Tech university.
 - Board of trustees.
 - Oath of office, §6-65-301.
- Southern Arkansas university.
 - Board of trustees.
 - Oath of office, §6-65-401.

Education.

- County boards of education, §6-12-303.
- School districts.
 - Directors, §6-13-617.

OATHS —Cont'd**Henderson state university.**

Board of trustees.

Oath of office, §6-66-101.

Universities and colleges.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.

Assistants, §6-64-712.

University of Central Arkansas.

Board of trustees.

Oath of office, §6-67-102.

OIL AND GAS.**Education.**

School districts.

Oil, gas and mineral leases.

Execution by directors, §6-13-624.

Former leases validated,
§6-13-624.**OIL BELT****VOCATIONAL-TECHNICAL
SCHOOL, EL DORADO.**Institution designated as technical
college, §6-53-301.**OPEN-ENROLLMENT CHARTER****SCHOOLS, §§6-23-301 to 6-23-507.**See **CHARTER SCHOOLS.****OPTOMETRISTS.**Tuition assistance for residents
attending out of state optometry
schools, §6-81-1101.**OPTOMETRY SCHOOLS.**Tuition assistance for residents
attending out of state schools,
§6-81-1101.**ORDINARY CHARTER SCHOOLS,**

§§6-23-101 to 6-23-207.

See **CHARTER SCHOOLS.****OSTEOPATHY SCHOOLS.**Tuition assistance for residents
attending out of state schools,
§6-81-1101.**OUACHITA TECHNICAL COLLEGE,
MALVERN.**

Abolishment, §6-54-105.

Accreditation, §6-54-105.

Administration, §6-54-104.

Authority, §6-54-101.

Conversion to community college.

Imposition of millage, §6-54-101.

Courses of study, §6-54-101.

**OUACHITA TECHNICAL COLLEGE,
MALVERN —Cont'd**

Created, §6-54-101.

Deadlines under chapter.

Effect on other laws, §6-54-102.

Designation of Ouachita**Vocational-Technical School as
technical college, §6-54-101.****Operation, §6-54-104.****Privileges, §6-54-103.****Procedures under chapter.**

Effect on other laws, §6-54-102.

Rights, §6-54-103.**OZARKA VOCATIONAL-TECHNICAL
SCHOOL, MELBOURNE.**Institution designated as technical
college, §6-53-301.**P****PARENT AND CHILD.****Criminal law and procedure.**

Education.

Parental notification of law
enforcement actions, §6-18-513.**Education.**

Criminal law and procedure.

Parental notification of law
enforcement actions, §6-18-513.Parental involvement plans,
§§6-15-1701 to 6-15-1705.**PARENTS AS TEACHERS
PROGRAM, §6-10-109.****PARKS AND RECREATION.****Education.**Public recreation and playgrounds,
§§6-21-501 to 6-21-505.See **EDUCATION.****PEACE OFFICERS.****Scholarships.**

Universities and colleges.

See **UNIVERSITIES AND
COLLEGES.****PERMITS.****Construction industry craft
training.**

Surcharge to fund program, §6-55-106.

Trust fund, §6-55-106.

School buses.

Permit numbers, §6-19-115.

PERSONAL PROPERTY.**Corporations.**

Educational institutions.

Use of funds or property, §6-2-103.

PERSONAL PROPERTY —Cont'd**Education.**

- School districts.
- Purchase of surplus government property, §6-13-110.

PERSONNEL.**Universities and colleges.**

- Board of higher education.
- Policies and administration, §6-61-214.

PETITIONS.**Education.**

- Quality education act.
- Annexation or consolidation.
- Petition for annexation, §6-15-207.

Universities and colleges.

- Improvement districts.
- Approval of chapter.
- Petition method, §6-71-105.

PETIT JEAN**VOCATIONAL-TECHNICAL SCHOOL, MORRILTON.**

Institution designated as technical college, §6-53-301.

PHARMACISTS AND PHARMACIES.**University of Arkansas.**

- School of pharmacy.
- Authorized, §6-64-410.

PHILLIPS COUNTY COMMUNITY COLLEGE.

Building trades construction program, §6-61-526.

President.

- Housing allowance, §6-61-525.

PHYSICAL EDUCATION.

Courses of study, §6-16-132.

PHYSICIANS AND SURGEONS.**University of Arkansas for medical sciences.**

- Medical department, §§6-64-401 to 6-64-415.
- See UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

PINE BLUFF.**A-Lift program.**

- Teacher development, §6-1-202.

PINES VOCATIONAL-TECHNICAL SCHOOL, PINE BLUFF.

Institution designated as technical college, §6-53-301.

PLANNING.

Construction industry craft training, §6-55-104.

PLANNING —Cont'd**Education.**

- Schoolhouses.
- Construction aid.
- Approval of plans by state board of education, §6-20-1407.

Universities and colleges.

- Board of higher education, §§6-61-205 to 6-61-207.
- Encouragement of participation by private institutions, §6-61-305.

PLAYGROUNDS.**School districts.**

- Public recreation and playgrounds, §§6-21-501 to 6-21-505.
- See EDUCATION.

PLEDGE OF ALLEGIANCE.**Public school students.**

- Recitation requirement, §6-16-108.

PLUMBERS.**Apprentice plumbers.**

- Vocational education and rehabilitation.
- Plumbing program, §6-51-403.

Licenses.

- Vocational education and rehabilitation.
- Plumbing program, §6-51-404.

Vocational education and rehabilitation.

- Plumbing program, §§6-51-401 to 6-51-404.
- See VOCATIONAL EDUCATION AND REHABILITATION.

PODIATRISTS.

Tuition assistance for residents attending out of state podiatry schools, §6-81-1101.

PODIATRY SCHOOLS.

Tuition assistance for residents attending out of state schools, §6-81-1101.

POISON CONTROL, DRUG INFORMATION AND TOXICOLOGICAL LABORATORIES.

Free transportation, §6-64-105.

POLICE.**Arkansas police corps program.**

- Administration, §§6-82-1204 to 6-82-1206.
- Arkansas police corps planning commission, §6-82-1202.
- Lead agency, §§6-82-1205, 6-82-1206.
- Purpose of subchapter, §6-82-1201.

POST-SECONDARY EDUCATION INSTITUTIONS.**Universities and colleges generally.**

See UNIVERSITIES AND COLLEGES.

PRAYER IN SCHOOLS.**School property and supplies,**

§6-21-203.

PRISONERS OF WAR.**Universities and colleges.**

Tuition.

Free tuition and fees for dependents,
§6-82-601.

PRISON TERMS.**Alcoholic beverages.**

Educational institutions.

Sales near, §6-2-113.

Bribery.

Education.

Sale of textbooks and other instructional materials,
§6-21-410.

Brothels.

Educational institutions.

Brothels prohibited near, §6-2-113.

Education.

Agricultural colleges.

Board of trustees.

Violation of oath.

Arkansas State University,
§6-65-201.

Arkansas Tech University,
§6-65-301.

Southern Arkansas University,
§6-65-401.

Alcoholic beverages.

Sales prohibited near educational institutions, §6-2-113.

Arkansas State University.

Board of trustees.

Violation of oath, §6-65-201.

Arkansas Tech University.

Board of trustees.

Violation of oath, §6-65-301.

Brothels.

Prohibited near educational institutions, §6-2-113.

Ethics violations, §6-24-115.

Gambling.

Prohibited near educational institutions, §6-2-113.

Henderson State University.

Board of trustees.

Violation of oath, §6-66-101.

Postsecondary institutions.

Course requirements, §6-61-105.

PRISON TERMS —Cont'd**Education —Cont'd**

Postsecondary institutions —Cont'd

Incorporation and certification requirements, §6-61-301.

Private residence and correspondence schools.

Licenses.

Operating school without,
§6-51-612.

Violations of chapter, §6-51-615.

Revolving loan fund.

Fees charged for services performed,
§6-20-816.

School bus drivers.

Loading and discharging pupils,
§6-19-110.

School districts.

Fraudulent use of district funds by treasurer, §6-13-701.

School for the blind and deaf.

Board of trustees.

Violation of oath, §6-43-101.

Southern Arkansas University.

Board of trustees.

Violation of oath, §6-65-401.

Textbooks.

Illegal acts involving school officials,
§6-21-410.

University of Central Arkansas.

Board of trustees.

Violation of oath, §6-67-102.

Fraud.

Education.

School districts.

Fraudulent use of district funds by treasurer, §6-13-701.

Gambling.

Educational institutions.

Gambling prohibited near, §6-2-113.

School buses.

Drivers.

Loading and discharging pupils,
§6-19-110.

PRIVATE CAREER SCHOOL

STUDENT PROTECTION TRUST FUND, §6-51-607.

PRIVATE RESIDENCE AND

CORRESPONDENCE SCHOOLS, §6-51-601 to 6-51-622.

See RESIDENCE AND

CORRESPONDENCE SCHOOLS.

PRIVATE SCHOOLS.**Diseases.**

Immunization required, §6-18-702.

PRIVATE SCHOOLS —Cont'd**Flags.**

United States flag.

Display by private schools,
§6-16-105.

Immunization.

Enforcement of act, §6-18-702.

Exceptions, §6-18-702.

Required, §6-18-702.

Penalties.

Immunization.

Penalty for violation, §6-18-702.

Residence and correspondence schools, §§6-51-601 to 6-51-623.

See RESIDENCE AND
CORRESPONDENCE SCHOOLS.

PROCUREMENT.**Community colleges.**

Purchases from board members and
employees, §6-61-613.

Education.

School districts.

Purchases of commodities,
§§6-21-301 to 6-21-306.

See EDUCATION.

Small communities.

Purchases without bids, §6-13-628.

University of Arkansas.

Agricultural experiment stations,
§6-64-704.

Vocational education and rehabilitation.

Housing construction program.

Considerations, §6-51-503.

State purchasing law and
regulations to be followed,
§6-51-505.

PROPERTY.**University of Central Arkansas.**

Board of trustees.

Powers as to property, §6-67-102.

Vocational education and rehabilitation.

Sale of real or personal property.

Disposition of income from,
§6-51-210.

PROSECUTING ATTORNEYS.**Agricultural colleges.**

Southern Arkansas University.

Eminent domain.

Duty of attorney, §6-65-403.

Blind persons.

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

PROSECUTING ATTORNEYS

—Cont'd

Deaf persons.

Education.

Compulsory school attendance.

Enforcement of act, §6-43-105.

Education.

Compensation for prosecuting
violations, §6-10-104.

Violations.

Prosecuting attorney to prosecute
violations, §6-10-104.

Henderson State University.

Eminent domain.

Proceedings instituted by
prosecuting attorney, §6-66-112.

Universities and colleges.

Eminent domain.

Legal representation of board,
§6-62-201.

PROSTITUTION.**Houses of prostitution.**

Where prohibited, §6-2-113.

PUBLICATION.**Agricultural colleges.**

Districts.

Schools.

Cooperation on research and
publications, §6-65-109.

Education.

Beginning of school term, §6-10-107.

School districts.

Budgets, §6-13-622.

Student publications, §§6-18-1201 to
6-18-1204.

See EDUCATION.

Universities and colleges.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice published where owners
are nonresidents or persons
under a disability,
§6-71-137.

Notice for collection, §6-71-117.

University of Arkansas.

Agricultural experiment stations.

Bulletins published by directors.

Contents, §6-64-703.

Bureau of research and statistics.

Use of material and information
in publications, §6-64-715.

University of Arkansas for medical sciences.

Medical department.

Admissions policies and procedures
to be published, §6-64-406.

PUBLICATION —Cont'd**Vocational education and rehabilitation.**

Housing construction program.

Purchases.

Notice of proposed purchases,
§6-51-503.**PUBLIC EDUCATION.****Charter schools.**General provisions, §§6-23-101 to
6-23-601.

See CHARTER SCHOOLS.

PUBLIC EDUCATION ACT OF 1997,

§§6-15-1001 to 6-15-1011.

See EDUCATION.

PUBLIC EMPLOYEES'**RETIREMENT SYSTEM.****Rehabilitation services division of
department of education.**

Eligibility of employees, §6-52-104.

PUBLIC SCHOOLS.**Charter schools.**General provisions, §§6-23-101 to
6-23-601.

See CHARTER SCHOOLS.

Libraries.Media and technology act, §§6-25-101
to 6-25-106.

Legislative intent, §6-25-101.

Media services program, §6-25-103.

Media specialist, §6-25-104.

Policies and guidelines, §6-25-105.

School media collection, §6-25-106.

Title of provisions, §6-25-102.

PUBLIC WORKS.**Construction contracts.**

Education.

Rulemaking authority, §6-21-109.

PULASKI**VOCATIONAL-TECHNICAL
SCHOOL, NORTH LITTLE
ROCK.****Institution designated as technical
college, §6-53-301.****Q****QUALITY EDUCATION ACT,**

§§6-15-201 to 6-15-209.

QUAPAW TECHNICAL INSTITUTE.**Name change and merger, §§6-58-101
to 6-58-112.**See NATIONAL PARK COMMUNITY
COLLEGE.**R****RACIAL MINORITIES.****Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.****Higher education minority retention
programs, §6-61-122.**

Minority defined, §6-61-121.

Universities and colleges.Charters, bylaws or rules of
institutions.Removal of references to race,
§6-61-113.Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.Faculty/administrator development
fellows program, §§6-63-401 to
6-63-415.See UNIVERSITIES AND
COLLEGES.Higher education minority retention
programs, §6-61-122.

Minority defined, §6-61-121.

RADIO.**University of Arkansas.**

Basketball games, §6-64-104.

Football games, §6-64-104.

RAILROADS.**Agricultural colleges.**

Districts.

Schools.

Faculty.

Free transportation to faculty
members, §6-65-108.**University of Arkansas.**Free transportation for certain officers,
§6-64-105.**REAL PROPERTY.****Corporations.**

Educational institutions.

Use of funds or property, §6-2-103.

Education.

School districts.

Authority to own and convey,
§6-21-108.Purchase of surplus government
property, §6-13-110.Sale of lands donated by state,
§6-13-105.**Rich Mountain Community College.**Transfer of title to certain land,
§6-61-704.**Universities and colleges.**

Improvement districts.

Damages.

Petition to acquire private
property, §6-71-101.

REAL PROPERTY —Cont'd**Universities and colleges —Cont'd****Improvement districts —Cont'd**

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to determination, §6-71-140.

Entry on land after deposit, §6-71-140.

Jury trial, §6-71-140.

Power to hold and acquire, §6-71-139.

Petition to acquire private property.

Improvement districts, §6-71-140.

Transfer and lease of property of state university, §§6-62-601 to 6-62-613.

See UNIVERSITIES AND COLLEGES.

University of Arkansas.

Agricultural experiment stations.

Livestock and forestry branch.

Purchase or gift of land, §6-64-710.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Research and education program.

Established, §6-64-102.

RECORDATION.**Universities and colleges.**

Trust conveyances to state for higher learning institutions, §6-62-503.

RECORDS.**Blind persons.**

School for the blind.

Purchasing agent, §6-43-220.

Deaf persons.

School for the deaf.

Contents, §6-43-309.

Secretary and purchasing agent, §6-43-310.

Education.

Attendance.

Manner of keeping, §6-18-213.

Teachers to maintain attendance records, §6-18-217.

Cooperatives, §6-13-906.

Education funds for children with disabilities or foster children.

Confidentiality of records, §6-20-510.

RECORDS —Cont'd**Education —Cont'd**

Graduation.

School districts to keep records of students leaving school without graduating, §6-18-214.

Military recruiters.

Directors of districts to permit equal access to records, §6-13-626.

School districts.

Boundaries.

Maintenance of records, §6-11-127.

Meetings of directors, §6-13-619.

School lunch program.

Rules and regulations for maintaining records, §6-20-704.

State board of education.

Record of proceedings, §6-11-111.

Student records.

Maintenance of permanent records, §6-18-901.

Uniform system of records.

State board to prescribe, §6-11-110.

Educational television.

Revolving cash fund, §6-3-109.

Teachers.

Accumulated sick leave.

Maintenance of records, §6-17-1205.

Attendance records.

Revocation of license for falsifying, §6-17-407.

Required, §6-17-104.

University of Arkansas.

Attendance of students and teachers, §6-64-215.

Penalty for failure to record, §6-64-215.

Financial assistance.

Applications, §6-80-101.

Vocational education and rehabilitation.

Appropriations.

Acceptance of benefits of congressional act.

Keeping at capitol, §6-51-213.

State board of vocational education.

Record of proceedings, §6-11-111.

RED RIVER**VOCATIONAL-TECHNICAL SCHOOL, HOPE.**

Institution designated as technical college, §6-53-301.

REFUNDS.**Teachers.**

Salaries.

Unearned salaries, §6-17-803.

REGISTRATION.**Community colleges.**

Motor vehicles used for school purposes, §6-51-101.

Education.

Correspondence schools.

Advertising without registration, §6-11-119.

School buses.

Exemption from registration, §6-19-113.

Vocational education and rehabilitation.

Motor vehicles used for school purposes, §6-51-101.

RELIGION.**Education.**

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

Teachers.

Religious clothing.

Authorized to wear, §6-17-108.

Universities and colleges.

Immunization of enrollees.

Religious objections, §6-60-504.

Teachers.

Religious clothing.

Authorized to wear, §6-63-101.

RENT.**Education.**

Department of education buildings, §6-10-112.

REPORTS.**Agricultural colleges.**

Districts.

Schools.

Boards of trustees, §6-65-112.

Blind persons.

School for the blind, §§6-43-221, 6-43-223.

Publication of reports, §6-43-223.

Deaf persons.

School for the deaf, §6-43-309.

Biennial reports, §6-43-311.

Education.

Attendance.

False attendance reports, §6-18-219.

Penalty, §6-18-219.

Filing of report on attendance, §6-18-213.

Basic core knowledge and skills curriculum, §6-15-1012.

Committee on closing the achievement gap in Arkansas.

Dropout rates, suspensions, explosions and alternative placements, §6-15-1604.

REPORTS —Cont'd**Education —Cont'd**

Comprehensive, testing, assessment and accountability program.

School progress reports, §6-15-422.

Cooperatives, §6-13-906.

Education service cooperatives, §6-13-1020.

Evaluations, §6-13-1021.

Exceptional children.

Average daily attendance, §6-41-312.

Gifted and talented children, §§6-42-102, 6-42-109.

Handicapped children, §6-41-223.

Task force, §6-41-504.

Motor vehicles.

Self-insurance.

Reporting requirements, §6-21-704.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

Schoolhouses.

Adjustment of losses.

Appraisers to adjust.

Report of appraiser, §6-20-1508.

Self-insurance, §6-20-1515.

School lunch program.

Rules and regulations for maintaining, §6-20-704.

School performance report act, §§6-15-1401, 6-15-1402.

State board of education.

Annual report.

Printing and distribution, §6-11-111.

Required, §6-11-111.

Transmission to general assembly, §6-11-111.

Uniform system of records.

Reports to commissioner of education, §6-11-110.

Student crime, §6-17-113.

Student services status reports, §§6-18-1007, 6-18-1008.

Hazing.

Aiding, allowing or failing to report hazing.

Prohibited, §6-5-202.

Henderson State University.

Board of trustees, §6-66-113.

Scholarships.

Annual report to general assembly on impact of programs, §6-82-104.

Student loans.

Authority.

Monthly report required.

Where filed, §6-81-127.

REPORTS —Cont'd**Teachers.**

Abusing or insulting teacher engaged in school responsibilities.

Prosecutions to be reported to department of education, §6-17-106.

Final months pay withheld until reports returned, §6-17-104.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

Required, §6-17-104.

Universities and colleges.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Employees.

Higher education expenditure restrictions.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Graduates requiring postsecondary remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving state funds, §6-62-107.

Scholarships.

Annual report to general assembly on impact of programs, §6-82-104.

Uniform reporting standards.

Revenues and expenditures, §6-61-222.

University of Arkansas.

Agricultural and mechanical departments.

Contents of report, §6-64-217.

Agricultural experiment stations.

Bureau of research and statistics, §6-64-712.

Attendance of students and teachers.

Board's report, §6-64-215.

Penalty for failure to report, §6-64-215.

Expenditures, §6-64-216.

Financial assistance.

Applications, §6-80-101.

Medical center.

Periodic progress reports, §6-64-414.

Radio broadcasting of football and basketball games, §6-64-104.

REPORTS —Cont'd**University of Arkansas for medical sciences.**

Medical department.

Family practice department, §6-64-409.

Rural medical practice student loans and scholarships.

Board's reports, §6-81-711.

University of Central Arkansas.

Board of trustees.

Biennial report to general assembly, §6-67-114.

Vocational education and rehabilitation.

Acceptance of benefits of congressional act.

Board of education report, §6-51-214.

Board of education, §6-51-214.

RESEARCH.**Research development act,**

§§6-61-801 to 6-61-808.

See UNIVERSITIES AND COLLEGES.

Universities and colleges.

Research development act, §§6-61-801 to 6-61-808.

See UNIVERSITIES AND COLLEGES.

RESIDENCE AND**CORRESPONDENCE SCHOOLS.****Actions to execute against bond.**

Standing to sue, §6-51-620.

Administration and enforcement of act, §6-51-605.**Admissions representatives.**

Background checks, §6-51-609.

Licenses, §6-51-609.

Denial or suspension, §6-51-615.

Fees, §6-51-610.

Renewal, §6-51-611.

Standards, §6-51-605.

Appeals.

Denial of school license, §6-51-614.

Denial or suspension of admissions representative's license, §6-51-615.

Penalties, §6-51-618.

Arbitration.

Private career education arbitration panel, §6-51-617.

Background checks.

Admissions representatives, §6-51-609.

Partners or shareholders in schools, §6-51-605.

Bonds, surety, §6-51-620.

RESIDENCE AND CORRESPONDENCE SCHOOLS

—Cont'd

Construction of subchapter,
§6-51-621.

Contempt.

Failure to obey a subpoena or
subpoena duces tecum, §6-51-619.

Contracts.

Contracts and promissory notes of
unlicensed schools, §6-51-613.

Criminal law and procedure.

Operating school without a license,
§6-51-612.

Definitions, §6-51-602.

Diplomas, §6-51-605.

Documents.

Subpoenas duces tecum, §6-51-619.

Driver training.

Defensive driving instruction,
§6-51-623.

Noncommercial driver training
instruction, §6-51-622.

Exemptions from licensure,
§6-51-603.

Extension course sites.

Additional school license, §6-51-608.
Fees, §6-51-608.

Fees.

Extension course sites, §6-51-608.
Licenses, §6-51-610.
Satellite schools, §6-51-608.
Witness fees and mileage, §6-51-619.

Fines, §6-51-618.

Funds.

Private career school student
protection trust fund, §6-51-607.

Grievance procedure.

Students, §6-51-616.

Gross tuition.

Defined, §6-51-620.

Hearings, §6-51-618.

Subpoenas and subpoenas duces
tecum, §6-51-619.

Injunctions.

Enjoining violations of provisions,
§6-51-604.

Intent of legislature, §6-51-601.

Investigations, §6-51-618.

Legislative declaration, §6-51-601.

Licenses.

Admissions representatives, §6-51-609.
Denial or suspension of license,
§6-51-615.

Appeals.

Denial or suspension of admissions
representative's license,
§6-51-615.

RESIDENCE AND CORRESPONDENCE SCHOOLS

—Cont'd

Licenses —Cont'd

Applications, §6-51-606.

Denial of licenses.

Admissions representatives,
§6-51-615.

School licenses, §6-51-614.

Duration, §6-51-611.

Exemptions, §6-51-603.

Extension course sites.

Additional school license, §6-51-608.

Fees, §6-51-610.

Issuance, §6-51-606.

Operating school without a license,
§6-51-612.

Renewal, §6-51-611.

Required, §6-51-606.

Satellite schools.

Additional school license, §6-51-608.

State board of private career
education.

Authority of state board, §6-51-605.

Surety bond required, §6-51-620.

Suspension of license.

Admissions representatives,
§6-51-615.

Failure of bond, §6-51-620.

School license, §6-51-614.

Misdemeanors, §6-51-615.

Operating school without a license,
§6-51-612.

Notice.

Investigation and hearing, §6-51-618.

Notice of possible violations,
§6-51-604.

Injunctions, §6-51-604.

Response by recipient, §6-51-604.

Operating school without license,
§6-51-612.

Penalty, §6-51-612.

Penalties, §6-51-615.

Appeals, §6-51-618.

Fines, §6-51-618.

Investigation and hearing, §6-51-618.

Operating school without a license,
§6-51-612.

**Private career education arbitration
panel,** §6-51-617.

**Promissory notes of unlicensed
schools,** §6-51-613.

Sales representatives.

Standards, §6-51-605.

Satellite schools.

Additional school license, §6-51-608.

Fees, §6-51-608.

RESIDENCE AND CORRESPONDENCE SCHOOLS

—Cont'd

Solicitors.

Standards, §6-51-605.

Standards for schools and their representatives, §6-51-605.

Standing.

Actions to execute against bond,
§6-51-620.

State board of higher education.

Construction of subchapter, §6-51-621.

State board of private career education.

Appointment, §6-51-605.

Composition, §6-51-605.

Director, §6-51-605.

Meetings, §6-51-605.

Powers and duties, §6-51-605.

Students.

Grievance procedure, §6-51-616.

Subpoenas and subpoenas duces tecum, §6-51-619.

Surety bond, §6-51-620.

Tuition.

Recovery of tuition, §6-51-613.

Witnesses.

Subpoenas, §6-51-619.

RESTITUTION.

Education.

Ethics violations, §6-24-115.

RETIREMENT.

Rehabilitation services division of department of education.

Eligibility of employees for retirement
systems, §6-52-104.

RICH MOUNTAIN COMMUNITY COLLEGE.

Building trades construction program, §6-61-708.

Comprehensive institution.

Operation as, §6-61-705.

Construction and interpretation.

Cumulative nature of provisions,
§6-61-703.

Polk County community college.

Use of name, §6-61-702.

Cumulative nature of provisions, §6-61-703.

Employees.

Status of certain employees, §6-61-706.

Henderson state university.

Mena off-campus branch.

Employees, §6-61-706.

Legislative declaration, §6-61-701.

Name, §6-61-702.

RICH MOUNTAIN COMMUNITY COLLEGE —Cont'd

Polk County community college.

Use of name, §6-61-702.

Purpose of provisions, §6-61-701.

Real property.

Transfer of title to certain land,
§6-61-704.

ROBERT E. LEE'S BIRTHDAY.

Schools.

Patriotic observance, §6-16-107.

RURAL EDUCATION SERVICES, §6-11-118.

S

SAFE SCHOOLS COMMITTEE, §6-15-1301.

SALARIES.

Blind persons.

School for the blind.

Employees, §6-43-213.

Teachers, §6-43-213.

Education.

Classified personnel.

Arkansas study commission,
§6-17-808.

Classified school employee minimum
salary act, §§6-17-2201 to
6-17-2205.

County board designees, §6-12-311.

County school supervisors, §6-12-311.

Educational excellence trust fund.

Classroom teacher salary
requirement, §6-5-307.

Educator compensation act of 2001,
§§6-17-2101 to 6-17-2106.

Nonrecurring salary payments,
§6-20-412.

Teachers, §§6-17-901 to 6-17-920.

See TEACHERS.

Universities and colleges.

See UNIVERSITIES AND
COLLEGES.

SALES.

Agricultural colleges.

Farm products.

Disposition of proceeds, §6-65-110.

Elementary school fundraising, §§6-18-1101 to 6-18-1105.

Technical college or community college capital improvement bonds, §6-61-1008.

Vocational education and rehabilitation.

Housing construction program,
§6-51-508.

SAVINGS BONDS.**Arkansas college savings bond act.**

Universities and colleges, §§6-62-701 to 6-62-725.

See UNIVERSITIES AND COLLEGES.

SCHOLARSHIPS.**Academic challenge scholarship program, §§6-82-1001 to 6-82-1010.**

Amount of award, §6-82-1006.

Created, §6-82-1003.

Declaration of public necessity, §6-82-1001.

Definitions, §6-82-1002.

Department of higher education.

Authority, §6-82-1004.

Duration of award, §6-82-1006.

Eligible students, §6-82-1005.

Legislative findings, §6-82-1001.

Nursing school eligibility, §6-82-1007.

Priority for teaching commitment, §6-82-1009.

Teaching requirements, §6-82-1010.

Unfunded awards, §6-82-1008.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

See UNIVERSITIES AND COLLEGES.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Definitions.**

Academic challenge scholarship program, §6-82-1002.

Second effort scholarship program, §6-82-1102.

Firefighters.

Children of law enforcement officers and firefighters.

See UNIVERSITIES AND COLLEGES.

Geographical critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Governor's scholars program, §§6-82-301 to 6-82-314.**

See EDUCATION.

High-Tech scholarship program, §§6-82-401 to 6-82-410.

See EDUCATION.

Minority scholarship or grant program.

Annual review by state board of higher education, §6-82-102.

Police corps program, §§6-82-1201 to 6-82-1206.**SCHOLARSHIPS —Cont'd Reports.**

Annual report to general assembly on impact of programs, §6-82-104.

Second effort scholarship program.

Amount of award, §6-82-1104.

Creation, §6-82-1101.

Definitions, §6-82-1102.

Duration of award, §6-82-1104.

Eligible students, §6-82-1103.

Certified list, §6-82-1105.

Funding, §6-82-1104.

Number of scholarships, §6-82-1103.

Purpose, §6-82-1101.

Review, §6-82-1105.

Rules and regulations, §6-82-1105.

Student loans.

General provisions.

See STUDENT LOANS.

Teachers.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.

University assisted teacher recruitment and retention grant program, §6-81-1301.

Universities and colleges.

Allocation, §6-82-209.

Amount, §6-82-208.

Award directly to student, §6-82-210.

Eligibility, §§6-82-205, 6-82-206.

Enhancement of student assistance grant program, §6-82-213.

Governor's scholars program, §§6-82-301 to 6-82-314.

See EDUCATION.

Minority scholarship or grant programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers and certain state employees, §§6-82-501 to 6-82-506.

See UNIVERSITIES AND COLLEGES.

Police corps program, §§6-82-1201 to 6-82-1206.

Refunds, §6-82-211.

Selective service act.

Compliance with required, §6-80-102.

State scholarship program.

Administration by department, §6-82-204.

Applications.

Termination date for acceptance, §6-82-204.

Definitions, §6-82-202.

SCHOLARSHIPS —Cont'd**Universities and colleges —Cont'd**

State scholarship program —Cont'd

Department of higher education.

Administration of program,
§6-82-204.Authority and responsibility,
§6-82-204.

Duties of applicant, §6-82-207.

Established, §6-82-203.

Legislative intent, §6-82-201.

Purpose of act, §6-82-201.

Transfer to other school, §6-82-212.

Withdrawal of recipient from
institution.

Refunds, §6-82-211.

University of Arkansas.Minority scholarship or grant
program.Annual review by state board of
higher education, §6-82-102.**University of Arkansas for medical
sciences.**

Medical department, §6-64-408.

SCHOOL BUSES.**Advertising.**

Competitive bids, §6-19-114.

Bids.

Advertising for bids, §6-19-114.

Purchase upon competitive bids,
§6-19-114.**Cell phone, use while driving bus,
§6-19-120.****Contracts.**Contracts with member of school
board.

Null and void, §6-19-102.

Criminal law and procedure.Cell phone, use while driving bus,
§6-19-120.

Seating, overcrowding, §6-19-119.

Damages.**Drivers.**Liability for injury or death of
pupils, §6-19-105.**Death.****Drivers.**Liability for injury or death of
pupils, §6-19-105.**Defined, §6-19-110.****Department of education.****Mirrors.**

Rules and regulations, §6-19-116.

Design.Regulations relative to design,
§6-19-111.**Drivers.**

Applicable laws.

Compliance, §6-19-104.

SCHOOL BUSES —Cont'd**Drivers —Cont'd**Application for employment,
§6-19-107.

Certificate, §6-19-108.

Chauffeur's license.

Exemption, §6-19-106.

Circumstances permitting nonqualified
driver, §6-19-108.

Employment as school bus driver.

Requirements, §6-19-108.

Evaluation of driving record,
§6-19-107.

Extracurricular trips, §6-19-108.

Generally, §6-19-104.

Insurance program for public school
employees.

Participation in program.

Eligibility, §6-17-1116.

Liability for injury or death of pupils,
§6-19-105.Loading and discharging pupils by
driver, §6-19-110.**Misdemeanors.****Tests.**Violators guilty of misdemeanor,
§6-19-108.

Violations by driver, §6-19-110.

Nonqualified drivers.Circumstances permitting,
§6-19-108.Operation on temporary basis,
§6-19-108.

Qualifications, §6-19-106.

Removal of certificate, §6-19-108.

Seat belts.

Driver to wear seat belt, §6-19-109.

Tests, §6-19-108.

Initial tests, §6-19-108.

Requirements for employment as
school bus driver, §6-19-108.

Violations of act, §6-19-108.

Violations.

Penalty for violation, §6-19-110.

Equipment.**Mirrors.**

Department of education.

Authority to adopt appropriate
rules and regulations,
§6-19-116.

Required, §6-19-116.

Safety equipment, §6-19-117.

Extracurricular trips, §6-19-108.**Fines.**

Seating, overcrowding, §6-19-119.

SCHOOL BUSES —Cont'd**High cost transportation funding formula.**

General provisions, §§6-20-1701 to 6-20-1716.

See HIGH COST

TRANSPORTATION FUNDING FORMULA.**Hiring or purchasing vehicles,**
§6-19-102.

Bids for purchase, §6-19-114.

Identification.

Permit numbers to identify, §6-19-115.

Injuries.

Drivers.

Liability for injury to pupils,
§6-19-105.

Insurance.

Drivers eligible to participate in public school employees' insurance program, §6-17-1116.

Liability.

Directors exempt, §6-19-103.

Drivers.

Injury or death of pupils, §6-19-105.

Markings, §6-19-119.**Minimum standards, §6-19-114.****Mirrors.**

Department of education.

Authority to adopt appropriate rules and regulations, §6-19-116.

Required, §6-19-116.

Misdemeanors.

Drivers.

Tests, §6-19-108.

Violations by drivers, §6-19-110.

Motor vehicles.

Defined, §6-19-110.

Operation.

Regulations relative to operation,
§6-19-111.

Penalties.

Drivers.

Violations by driver, §6-19-110.

Drivers' tests.

Penalty for violation of act,
§6-19-108.

Permit numbers.

Failure to comply, §6-19-115.

Identification of school buses,
§6-19-115.

Location on bus, §6-19-115.

Notice to school districts, §6-19-115.

Withholding of funds, §6-19-115.

Pupils.

Loading and discharging by driver,
§6-19-110.

SCHOOL BUSES —Cont'd**Purchases.**

Advertising for bids, §6-19-114.

Competitive bids, §6-19-114.

State board to purchase for district,
§6-19-114.

Registration.

Exemption from registration,
§6-19-113.

Rules and regulations, §6-19-101.

Design and operation of buses,
§6-19-111.

Mirrors.

Authority to adopt appropriate rules and regulations, §6-19-116.

Violations by officers or employees of school districts, §6-19-111.

Safety.

Operation prohibited until passengers seated, §6-19-119.

Safety equipment, §6-19-117.**School districts.**

Directors.

Exemption from liability, §6-19-103.

Purchase of buses for district by state board, §6-19-114.

Purchase of used buses, §6-21-306.

Vehicles used to transport pupils in one district not to be used to transport pupils in another,
§6-19-102.

Seating, §6-19-119.**Standards.**

Buses purchased to meet certain standards, §6-19-114.

State board of education.

Purchase of buses for district by state board, §6-19-114.

Regulations and standards, §6-19-101.

Rules and regulations.

Design and operation of buses,
§6-19-111.

Student behavior.

Operation prohibited until passengers seated, §6-19-119.

Taxation.

Exemption from taxation, §6-19-112.

Tests.

Drivers, §6-19-108.

Initial test, §6-19-108.

Penalty for violations, §6-19-108.

Requirements for employment as school bus driver, §6-19-108.

Transportation of pupils authorized,
§6-19-102.**SCHOOL PERFORMANCE REPORT ACT, §§6-15-1401, 6-15-1402.**

SCHOOL REPORT CARDS ACT.

Office of accountability, §§6-15-802 to 6-15-808.

See EDUCATION.

SCHOOLS.**Blind persons.**

School for the blind, §§6-43-201 to 6-43-223.

See BLIND PERSONS.

Charter schools.

General provisions, §§6-23-101 to 6-23-601.

See CHARTER SCHOOLS.

Core curriculum, §§6-15-1101,

6-18-104.

Correspondence schools.

Residence and correspondence schools, §§6-51-601 to 6-51-622.

See RESIDENCE AND
CORRESPONDENCE
SCHOOLS.

Criminal law and procedure.

Crimes by students on school property.

Duty to report and investigate,
§6-17-113.

Daily planning periods, §6-17-114.**Deaf persons.**

School for the deaf, §§6-43-301 to 6-43-319.

See DEAF PERSONS.

Donation of lab equipment seized under drug paraphernalia law, §6-21-102.**Dress codes**, §6-18-102.**Elections**, §§6-14-101 to 6-14-122.

See EDUCATION.

Elementary school fundraising,

§§6-18-1101 to 6-18-1105.

See ELEMENTARY SCHOOL
FUNDRAISING.

Employees.

School worker defense program,
§§6-17-1113, 6-17-1118.

Four-day school week, §6-10-117.**Fraternities**, §§6-18-601 to 6-18-607.

See EDUCATION.

Fundraising, elementary schools,

§§6-18-1101 to 6-18-1105.

See ELEMENTARY SCHOOL
FUNDRAISING.

Hazing.

General provisions, §§6-5-201 to 6-5-204.

See HAZING.

Insurance.

Public school employees, §§6-17-1109 to 6-17-1117.

See EDUCATION.

SCHOOLS —Cont'd**Lab equipment.**

Donation of equipment seized under drug paraphernalia law,
§6-21-102.

Private schools.

Residence and correspondence schools,
§§6-51-601 to 6-51-622.

See RESIDENCE AND
CORRESPONDENCE
SCHOOLS.

Public education act of 1997,

§§6-15-1001 to 6-15-1011.

See EDUCATION.

Registered volunteers program,

§§6-22-101 to 6-22-108.

Residence and correspondence schools, §§6-51-601 to 6-51-622.

See RESIDENCE AND
CORRESPONDENCE SCHOOLS.

Safe schools committee, §6-15-1301.

Creation, §6-15-1301.

Safety patrols, §§6-18-801 to 6-18-804.

See EDUCATION.

Selective service registration,

§6-18-103.

Textbooks.

General provisions, §§6-21-401 to 6-21-413.

See EDUCATION.

Universities and colleges.

General provisions.

See UNIVERSITIES AND
COLLEGES.

SCHOOL VIOLENCE.**Duty to report and investigate**, §6-17-113.**SCHOOL WORKER DEFENSE**

PROGRAM, §§6-17-1113, 6-17-1118.

SEALS AND SEALED INSTRUMENTS.**Education.**

State board of education.

Official seal, §6-11-107.

Vocational education and rehabilitation.

State board.

Official seal, §6-11-107.

SEARCHES AND SEIZURES.**Education.**

Concealing guns or drugs.

Confiscation without warrant,
§6-21-608.

Search warrants.

Education.

Concealing guns or drugs on school owned property.

Confiscation without warrant,
§6-21-608.

SEARCHES AND SEIZURES —Cont'd**Search warrants —Cont'd****Schools.**

Concealing guns and drugs in school property.

Confiscation without warrant,
§6-21-608.

SEEDS.**University of Arkansas.**

Laboratory to test.

Authorized, §6-64-711.

Fee, §6-64-711.

SENTENCING.**Education.**

Unlawful enrollment of students outside district, §6-18-202.

SERVICE OF PROCESS.**Constructive service.**

Universities and colleges.

Improvement districts.

Assessment liens.

Actions to enforce, §6-71-124.

Universities and colleges.

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-123.

Constructive service in actions to enforce, §6-71-124.

University of Arkansas.

Board of trustees.

Removal of members.

Charges brought against members, §§6-64-204,
6-64-205.

SEXUAL OFFENSES.**Education.**

Employees convicted of committing,
§6-17-116.

Home schooling prohibited in home with registered sex offender,
§6-15-508.

Home schooling prohibited in home with registered sex offender,
§6-15-508.**School districts.**

Employees convicted of committing,
§6-17-116.

Teachers.

Employees convicted of committing,
§6-17-116.

SICK LEAVE.**University and college employees.**

Catastrophic leave bank program,
§§6-63-601, 6-63-602.

SIGNATURES.

Technical or community college capital improvement bonds,
§6-61-1006.

SIGN LANGUAGE.**Universities and colleges.**

American sign language as foreign language, §6-61-125.

SITE-BASED DECISION MAKING.

Education, §§6-13-1301 to 6-13-1309.

See EDUCATION.

SMOKING.**Education.**

Prohibited in public schools, §6-21-609.

Exception as to designated areas,
§6-21-609.

SOIL.**University of Arkansas.**

Agricultural experiment stations.

Investigation and classification of soils, §6-64-704.

SORORITIES.

Fraternities generally, §§6-18-601 to 6-18-607.

See EDUCATION.

SOUTH ARKANSAS COMMUNITY COLLEGE.

Arkansas heavy equipment operator training academy.

Establishment of satellite center,
§§6-61-531 to 6-61-533.

Housing allowance for president,
§6-61-525.

SOUTHERN ARKANSAS

UNIVERSITY, §§6-65-401 to 6-65-410.

Appropriations, §6-65-408.

Board of trustees.

Appeals.

Removal of members, §6-65-401.

Appointment, §6-65-401.

Acceptance of appointment,
§6-65-401.

Certificate of appointment,
§6-65-401.

Composition, §6-65-401.

Disqualification of certain officials,
§6-65-401.

Duties.

Generally, §6-65-402.

El Dorado branch.

Powers and duties as to, §6-65-406.

Filling vacancies, §6-65-401.

Oaths, §6-65-401.

Penalty for violation, §6-65-401.

SOUTHERN ARKANSAS**UNIVERSITY** —Cont'd**Board of trustees** —Cont'd

Powers.

Generally, §6-65-402.

Qualifications, §6-65-401.

Removal of members, §6-65-401.

SAU Tech.

Powers and duties, §6-65-404.

Terms of members, §6-65-401.

Vacancies.

Filling, §6-65-401.

El Dorado Branch, §6-65-406.

Advisory committee, §6-65-407.

Appointment of members, §6-65-407.

Composition, §6-65-407.

Duties, §6-65-407.

Expenses of members, §6-65-407.

Terms of members, §6-65-407.

Authorized, §6-65-406.

Chancellor.

Housing allowance, §6-65-410.

Exemption from certain provisions,
§6-61-102.

Housing allowance.

Chancellor of branch, §6-65-410.

Eminent domain, §6-65-403.Action brought in name of state,
§6-65-403.

Appeals, §6-65-403.

Board of trustees.

Resolution, §6-65-403.

Prosecuting attorneys.

Duty, §6-65-403.

SAU Tech.Housing allowance for chancellor,
§6-65-409.Operation as technical division of
Arkansas University, §6-65-404.**SAU Tech advisory committee.**

Created, §6-65-405.

Memberships, §6-65-405.

University of Arkansas.Agricultural experiment stations,
§§6-64-701 to 6-64-715.

See UNIVERSITY OF ARKANSAS.

SOUTHERN REGIONAL**EDUCATION COMPACT,**

§§6-4-101 to 6-4-107.

See EDUCATION.

SOUTHWEST ARKANSAS HIGHER**EDUCATION CONSORTIUM,**

§6-61-1201.

SOUTHWEST TECHNICAL**INSTITUTE.****Exemption from certain provisions,**
§6-61-102.**SPORTS.****Universities and colleges.**Athletic programs, §§6-62-801 to
6-62-807.See UNIVERSITIES AND
COLLEGES.**SPUTUM.****Teachers.**

Tuberculosis.

Examination of sputum by hygienic
laboratory, §6-17-101.**STATE BOARD OF EDUCATION.****Charter schools.**General provisions, §§6-23-101 to
6-23-601.

See CHARTER SCHOOLS.

**STATE DEPARTMENTS AND
AGENCIES.****Universities and colleges.**

Department of higher education.

See UNIVERSITIES AND
COLLEGES.**Workforce education and career
opportunities, state board of,**
§§6-11-201 to 6-11-207.**STATE INSTITUTIONS.****Deaf persons.**

School for the deaf.

General provisions.

See DEAF PERSONS.

**STATE TEACHER ASSISTANCE
RESOURCE PROGRAM,**

§§6-81-1501 to 6-81-1507.

STATE TECHNICAL INSTITUTE.**Arkansas State University-Beebe,**

§§6-65-217 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY-BEEBE.**STATUTE OF LIMITATIONS.****University of Arkansas.**

Revolving loan fund.

Defenses invalid, §6-81-407.

STATUTES.**Education.**Teaching Arkansas laws in target
courses, §6-16-123.**STUDENT IDENTIFICATION
CARDS.****Social security number.**

Use prohibited, §6-61-126.

STUDENT LOANS.**Anti-stacking provision,** §6-80-105.**Arkansas student loan board.**

Abolished, §6-81-202.

STUDENT LOANS —Cont'd**Audits, §6-81-130.**

Guarantee foundation.

Annual audit, §6-81-206.

Authority.

Appointment of members, §6-81-102.

Audits, §6-81-130.

Bond issues.

Liability of state and authority on obligations, §6-81-113.

Power to issue obligations, §6-81-106.

Resolution authorizing bonds, §6-81-109.

Compensation of members, §6-81-102.

Composition, §6-81-102.

Conduct of business, §6-81-102.

Defined, §6-81-101.

Director.

Employment authorized, §6-81-102.

Established, §6-81-102.

Guarantee foundation.

Cooperation of foundation with authority, §6-81-105.

Nonprofit corporation in lieu of authority, §6-81-103.

Obligations and notes.

Contract between authority and obligation holder.

Enforcement of terms, §6-81-115.

Educational loan fund established for each obligation.

Allowed uses, §6-81-124.

Liability of state and authority, §6-81-113.

Proceeds fund established for each obligation.

Allowed uses, §6-81-124.

Tax exemption, §6-81-116.

Personnel.

Employment authorized, §6-81-102.

Powers.

Limitations, §6-81-108.

Purchase of student loan note, §6-81-126.

Purpose, §6-81-102.

Reports.

Monthly report required.

Where filed, §6-81-127.

Rules and regulations, §6-81-104.

Board of finance.

Defined, §6-81-101.

Bond issues.

Amount.

Maximum amount of outstanding obligations, §6-81-107.

Authority.

Liability of state and authority on obligations, §6-81-113.

STUDENT LOANS —Cont'd**Bond issues —Cont'd**

Authority —Cont'd

Power to issue obligations, §6-81-106.

Resolution authorizing bonds, §6-81-109.

Authorized, §6-81-106.

Board of finance.

Consent, §6-81-107.

Consent of "board of finance," §6-81-107.

Contracts between authority and bondholder.

Enforcement of terms, §6-81-115.

Defined, §6-81-101.

Deposits of proceeds, §6-81-118.

Designation of money received as cash fund, §6-81-118.

Educational loan fund established for each obligation.

Allowed uses, §6-81-124.

Execution, §6-81-111.

Governor.

Consent, §6-81-108.

Investments.

Excess funds, §6-81-122.

Legal and authorized investments, §6-81-120.

Local funds.

Sufficient security for, §6-81-121.

Notice.

Sale of obligations, §6-81-112.

Outstanding obligations.

Maximum amount, §6-81-107.

Pledge of revenues, §6-81-114.

Proceeds fund established for each obligation.

Allowed uses, §6-81-124.

Redemption fund.

Sufficient fund required, §6-81-118.

Refunding bonds.

Authorized, §6-81-119.

Exchange or sale, §6-81-119.

Resolution authorizing, §6-81-109.

Sale of obligations, §6-81-112.

Seal, §6-81-111.

Security.

Pledge of revenues, §6-81-114.

Trust indentures, §6-81-110.

State funds.

Sufficient security for, §6-81-121.

Tax exemption, §6-81-116.

Terms and conditions, §6-81-109.

Trust indentures, §6-81-110.

Bonds, surety.

Disbursing officer, §6-81-203.

STUDENT LOANS —Cont'd**Bonds, surety —Cont'd**

Guarantee foundation.

Disbursing officer, §6-81-203.

Collection of defaulted loans,
§6-81-128.**Contracts.**

Bondholders or obligation holders.

Authority.

Enforcement of terms of contract
between authority and holder,
§6-81-115.

Services.

Contract with certain entities
authorized, §6-81-129.Vesting students with contractual
capacity, §6-81-125.**Defaulted loans.**

Collection, §6-81-128.

Definitions, §6-81-101.**Disbursing officer.**

Bonds, surety, §6-81-203.

Guaranteed educational loans.

Defined, §6-81-101.

Guarantee foundation.Administration of student loan
provisions of federal laws,
§6-81-201.

Audit.

Annual audit, §6-81-206.

Authority.

Cooperation of foundation with
authority, §6-81-105.

Disbursing officer, §6-81-203.

Funds.

Administration of funds, §6-81-202.

Audits.

Annual audit, §6-81-206.

Use, §6-81-204.

Securities.

Sale, §6-81-205.

Use, §6-81-204.

Transfer of student loan fund to
guarantee foundation, §6-81-202.**Higher education coordinating
board.**Continuation of administration of
certain financial assistance
programs, §6-81-131.**Investments.**

Bond issues.

Excess funds, §6-81-122.

Legal and authorized investments,
§6-81-120.**Minors.**Defense of minority unavailable,
§6-81-125.**STUDENT LOANS —Cont'd****Nonprofit corporation in lieu of
authority.**

Authorized, §6-81-103.

Board of directors.

Composition, §6-81-103.

Powers, §6-81-103.

**Nonprofit special purpose
corporations.**

Authority may form, §6-81-129.

Notes.

Authority.

Obligation and notes. See within
this heading, "Authority."**Notice.**

Bond issues.

Sale of obligations, §6-81-112.

**Nursing student loan revolving
fund, §§6-81-1401 to 6-81-1412.**

See NURSES.

Participating institutions.

Defined, §6-81-101.

Professional schools.Tuition assistance for certain schools,
§6-81-1101.**Proprietary institutions.**Loan funds to students of proprietary
institutions.

Limitation, §6-81-127.

Purchase of student loan note,
§6-81-126.**Qualified borrowers.**

Defined, §6-81-101.

Refunding bonds.

Authorized, §6-81-119.

Exchange or sale, §6-81-119.

Reports.

Authority.

Monthly report required.

Where filed, §6-81-127.

Rules and regulations.

Authority, §6-81-104.

Selective service act.

Compliance with required, §6-80-102.

Selective service registration,
§6-80-104.**Taxation.**

Bonds and obligations.

Exemption from taxation, §6-81-116.

Technical careers student loan**forgiveness program, §§6-50-201**
to 6-50-208.

See TECHNICAL CAREERS

STUDENT LOAN FORGIVENESS
PROGRAM.

STUDENT LOANS —Cont'd **United States.**

- Guarantee foundation.
- Administration of student loan provisions of federal laws, §6-81-201.

SUBPOENA DUCES TECUM. **Residence and correspondence schools, §6-51-619.**

SUBPOENAS. **Residence and correspondence schools, §6-51-619.**

SUICIDE. **Students or other suicidal youth.** Counseling, referrals, medical care or other assistance, §6-17-107.

SUPREME COURT. **Universities and colleges.** Improvement districts. Assessments. Actions to enforce lien. Appeals to supreme court, §6-71-136.

T

TALENTED CHILDREN. **Charter schools.** General provisions, §§6-23-101 to 6-23-601. See CHARTER SCHOOLS.

TAXATION. **Community colleges.** Districts. Ad valorem taxes, §6-61-517. Reduction or repeal, §6-61-519. General operations. Millage taxes, §6-61-602. Millage tax, §6-61-503. Motor vehicles used by schools exempt from taxes, §6-51-101.

Deaf persons. School for the deaf. Property exempt from taxation, §6-43-302.

School buses. Exemption from taxation, §6-19-112.

Student loans. Bond and obligations. Exemption from taxation, §6-81-116.

Tax-deferred tuition savings program, §§6-84-101 to 6-84-113. See TAX-DEFERRED TUITION SAVINGS PROGRAM.

TAXATION —Cont'd **Tuition.** Tax-deferred tuition savings program, §§6-84-101 to 6-84-113. See TAX-DEFERRED TUITION SAVINGS PROGRAM.

Universities and colleges. Trust conveyances to state for higher learning institutions. Exemption from tax, §6-62-506.

University of Arkansas. Legal education fund. Bond issues. Exemption from tax, §6-64-614.

Vocational education and rehabilitation. Districts. Schools. Use of funds raised by taxation, §6-51-215.

Motor vehicles used by schools exempt from taxes, §6-51-101.

TAX-DEFERRED TUITION SAVINGS PROGRAM, §§6-84-101 to 6-84-113.

Accounts. Assignment prohibited, §6-84-110. Contributions, §6-84-107. Prohibitions, §6-84-110. Defined, §6-84-103. Establishment, §6-84-107. Withdrawals, §6-84-109. Tax exemptions, §6-84-111.

Administration of provisions, §6-84-105.

Citation of act, §6-84-101.

Definitions, §6-84-103.

Designated beneficiary, §6-84-108. Defined, §6-84-103.

Exemption of funds from tax, §6-84-111.

Immunities, §6-84-112.

Interpretation and construction. Liberal construction of provisions, §6-84-112.

Investment committee, §6-84-105. Immunities, §6-84-112.

Investments. Direction of investment, §6-84-106. Tax exemptions, §6-84-111.

Legislative declaration, §6-84-102.

Purposes of act, §6-84-102.

Title of act, §6-84-101.

Trust. Creation, §6-84-104. Defined, §6-84-103.

Withdrawals from accounts, §6-84-109. Tax exemptions, §6-84-111.

TEACHER RETIREMENT SYSTEM.**Board of trustees.**

Revolving loan fund.

Certificates of indebtedness.

Purchase by board, §6-20-906.

Rehabilitation services division of department of education.

Eligibility of employees, §6-52-104.

TEACHERS.**Abusing or insulting teacher engaged in school responsibilities.**

Penalty, §6-17-106.

Advanced placement incentive program.

Subsidized training, §6-16-804.

Agricultural colleges.

Districts.

Schools.

Compensation, §6-65-107.

Free transportation to faculty members, §6-65-108.

Graduates only to be employed as faculty.

Penalty, §6-65-107.

A-Lift program.

Professional development, §6-1-202.

Appeals.

Dismissal, §6-17-1510.

Arkansas history in-service training, §6-17-418, 6-17-703.**Assignment.**

Assignment and reassignment, §6-17-303.

Student teachers, §6-17-305.

Attorneys at law.

Grievance.

Right to representation of choice, §6-17-210.

Audits.

Salaries.

Audits of accounts, §6-17-913.

Blind persons.

Teachers for visually impaired entering state service, §6-17-809.

Certificate of health, §6-17-101.**Certification.**

Alternative certification.

Grants, §6-17-409.

Arkansas history requirement, §6-17-418, 6-17-703.

Expired license renewal requirements, §6-17-419.

Failure to file teacher's license, §6-17-408.

Falsifying attendance records.

Revocation, §6-17-407.

TEACHERS —Cont'd**Certification —Cont'd**

First-time applicants for license, §6-17-410.

National teachers examination, §6-17-402.

New certification.

Application, §6-17-602.

No compensation without certificate, §6-17-401.

Office for the purpose of teacher recruitment, §6-17-310.

Other states.

Provisional certification.

Teachers trained and certified in other states, §6-17-403.

Provisional certification.

Teachers trained and certified in other states, §6-17-403.

Rules and regulations, §6-17-402.

Salaries.

Warrants.

Void without valid certificate, §6-17-919.

Teachers trained and certified in other states.

Provisional certification, §6-17-403.

Uncertified teachers or instructors.

Limitation on time in classroom, §6-17-309.

Charter schools.

Priority public school hiring.

Revocation of charter, §§6-23-205, 6-23-308.

Professional qualifications of employees, §6-23-306.

Transfer of public school teacher, §6-23-201.

Coaches.

Employment, §6-17-301.

Confidentiality of information.

Criminal history background checks, §6-17-410.

Contracts.

Breach of contract.

Districts and officers relieved from liability, §6-17-803.

Coaches, §6-17-301.

Department heads, §6-17-301.

Employment by contract, §6-17-301.

Employment of teacher obligated to another school district.

Liability of hiring district, §6-17-304.

Penalty for violations, §6-24-120.

Indefinite teacher employment contracts.

Amount of salary, §6-17-801.

Null and void, §6-17-801.

TEACHERS —Cont'd**Contracts —Cont'd**

- Indefinite teacher employment contracts —Cont'd
 - Other provisions remain effective, §6-17-801.
 - Vocational agriculture teachers, §6-17-802.
- Normal base contract period, §6-17-807.
- Optional contract for hiring teachers, §6-17-803.
 - Paying in twelve monthly installments, §6-17-803.
- Personnel policies incorporated into contracts, §6-17-204.
- Principals.
 - Employment of principals by contract, §6-17-301.
- Salaries.
 - Additional days, §6-17-807.
 - Examination of teachers' contracts, §6-17-920.
- Warrants.
 - Void without contract, §6-17-919.
- Student teachers, §6-17-305.

Controlled substances.

- Reporting student drug abuse.
- Immunity from civil liability, §6-17-107.

Criminal history background checks.

- Confidentiality of information, §6-17-410.
- First-time applicants for license, §6-17-410.

Critical needs minority teacher scholarship program, §§6-82-1501 to 6-82-1506.**Daily registration periods, §6-17-114.****Daily register.**

- Final month's pay withheld until register returned, §6-17-104.

Deaf persons.

- School for the deaf, §§6-43-305, 6-43-306.
- Teachers for hearing impaired entering state service, §6-17-809.

Definitions.

- Dismissal, §6-17-1502.
- Minimum sick leave law, §6-17-1202.
- Salaries, §6-17-902.
- State teacher assistance resource program, §6-81-1502.

Delta region.

- Professional development, §6-1-202.
- Reimbursement for interview expenses, §6-17-307.

TEACHERS —Cont'd**Delta region —Cont'd**

- Teacher shortages.
 - Identifying areas with critical teacher shortages, §6-1-201.

Department heads.

- Employment, §6-17-301.

Discipline.

- Removal of pupil, §6-18-511.
- Student discipline training, §6-18-501.

Discrimination.

- Enhancement and retraining grant program.
- Prohibited, §6-81-606.

Dismissal.

- Annual evaluation, §6-17-1504.
 - Criteria for evaluation, §6-17-1504.
 - Documentation of efforts to correct problems, §6-17-1504.
 - Notice of deficiencies, §6-17-1504.
- Appeals, §6-17-1510.
- Board action, §6-17-1510.
- Citation of act, §6-17-1501.
- Construction of subchapter, §6-17-1503.

Contracts.

- Renewal, §6-17-1506.
- Definitions, §6-17-1502.
- Grounds for termination, §6-17-1507.
- Hearings.
 - Board action, §6-17-1510.
 - Procedure, §6-17-1509.
 - Request for hearing, §6-17-1509.
 - Suspension of teachers, §6-17-1508.

Notice.

- Renewal of contract, §6-17-1506.
- Suspension, §6-17-1508.
- Termination recommendation, §6-17-1507.

Personnel file, §6-17-1505.

- Availability to teachers, §6-17-1505.
- Maintenance by district, §6-17-1505.

Reinstatement, §6-17-1508.**Short title, §6-17-1501.****Suspension, §6-17-1508.**

- Hearings, §6-17-1508.
- Notice of grounds, §6-17-1508.
- Reinstatement, §6-17-1508.

Tenure law.

- Subchapter not construed as tenure law, §6-17-1503.
- Termination during term of contract, §6-17-1507.
- Title of act, §6-17-1501.
- Written conclusions by board, §6-17-1510.

TEACHERS —Cont'd**Drug abuse.**

- Reporting student drug abuse.
- Immunity from civil liability,
§6-17-107.

Duty-free lunch period, §6-17-111.**Education faculty involvement program.**

- Eligibility to participate, §6-63-502.
- Participation in program, §6-63-502.

Educator compensation act of 2001, §§6-17-2101 to 6-17-2106.**Elective or appointive offices.**

- Public school district policy, §6-17-115.
- State policy, §6-17-115.

Employment of teacher obligated to another school district.

- Liability of hiring district, §6-17-304.

Enhancement and retraining grant program.

- Administration of program.
- Department of higher education,
§6-81-603.
- Amount of loans, §6-81-605.
- Conditions for loans, §6-81-604.
- Creation of program, §6-81-602.
- Department of higher education.
- Powers, §6-81-603.
- Discrimination.
- Prohibited, §6-81-606.
- Eligibility for loans, §6-81-604.
- Establishment of program, §6-81-602.
- Legislative purpose, §6-81-601.
- Maximum amount of loans, §6-81-605.
- Priorities, §6-81-605.
- Purpose of act, §6-81-601.
- Repayment of loans, §6-81-606.
- Failure to repay, §6-81-606.
- Rules and regulations.
- Department of higher education,
§6-81-603.

Evaluation.

- Annual evaluation, §6-17-1504.
- Documentation of efforts to correct problems, §6-17-1504.
- Notification of deficiencies, §6-17-1504.

Examinations.

- Physical examinations, §6-17-101.

Fair hearing law.

- Generally, §§6-17-1701 to 6-17-1705.
- See EDUCATION.

Grade level certification.

- Criteria for assignment, §6-15-1004.

Grievance.

- Consolidation of school districts.
- Interim personnel policy committee,
§6-17-209.
- New personnel policies, §6-17-209.

TEACHERS —Cont'd**Grievance —Cont'd**

- Opportunity to be heard, §6-17-210.

Health.

- Certificate of health, §6-17-101.
- Penalty for violation, §6-17-101.
- Tuberculosis.

- Examination of school personnel without charge, §6-17-101.

Home economics teachers.

- Travel reimbursement, §6-17-109.

Immunity.

- Reporting student drug abuse.
- Immunity from civil liability,
§6-17-107.

In-service training in teaching reading.

- Department of education.
- Authority, §6-17-701.
- Development of program to improve reading skills, §6-17-701.
- Implementation, §6-17-701.
- Reading specialists.
- Implementation of training,
§6-17-701.
- Records.
- Required, §6-17-701.
- Trained teachers to assist others,
§6-17-701.

Insurance.

- Salaries.
- Deductions for group insurance premium, §6-17-804.

Interviews.

- Delta region.
- Reimbursement for interview expenses, §6-17-307.

Leaves of absence.

- Grounds, §6-17-306.
- Payment, §6-17-306.
- Period, §6-17-306.

Licenses.

- Adjoining states, §6-17-404.
- Compliance with requirements for first-time applicants,
§§6-17-404, 6-17-410.
- Eligibility.
- Criminal records check, §6-17-410.
- Expired license renewal requirements,
§6-17-419.
- Filing.
- Failure to file, §6-17-408.
- First-time applicants.
- Requirements, §6-17-410.
- Probation, §6-17-410.
- Professional education, development, licensure and assessment board,
§6-17-420.

TEACHERS —Cont'd**Licenses —Cont'd**

Refunds of unearned salary.
 Revocation of license until
 repayment made, §6-17-803.

Registration, §6-17-401.

Reprimands.

Ethics violations.

Administrative remedies,
 §6-24-114.

Required, §6-17-401.

Revocation, §6-17-410.

Ethics violations.

Administrative remedies,
 §6-24-114.

Falsifying attendance records,
 §6-17-407.

Suspension, §6-17-410.

Ethics violations.

Administrative remedies,
 §6-24-114.

Waiver of requirements.

First-time applicants, §6-17-410.

Lunch periods.

Duty-free lunch periods, §6-17-111.

Minimum sick leave law, §§6-17-1201
 to 6-17-1209. See within this
 heading, "Sick leave."

**Minority recruitment and training
 program.**

Recruitment advisory council,
 §6-17-1903.

Recruitment plan, §§6-17-1901,
 6-17-1902.

Misdemeanors.

Abusing or insulting teacher engaged
 in school responsibilities,
 §6-17-106.

NBTS certification, §§6-17-412,
 6-17-413.

Noninstructional duties, §6-17-117.

Notice.

Dismissal of teachers.

Notice of termination
 recommendation, §6-17-1507.

Renewal of contracts, §6-17-1506.

Suspension, §6-17-1508.

**Office for the purpose of teacher
 recruitment**, §6-17-310.

Parental involvement plans,
 §§6-15-1701 to 6-15-1705.

Parents as teachers program,
 §6-10-109.

Penalties.

Abusing or insulting teacher engaged
 in school responsibilities,
 §6-17-106.

TEACHERS —Cont'd**Penalties —Cont'd**

Health requirements.

Penalty for violations of act,
 §6-17-101.

Period of silence, §6-10-115.

Personnel file, §6-17-1505.

Availability for inspection, §6-17-1505.

Maintenance, §6-17-1505.

Personnel policies.

Accreditation of district.

Written personnel policies required
 for, §6-17-207.

Committee.

Composition, §6-17-203.

Duties, §6-17-205.

Election of members, §6-17-203.

Organization, §6-17-205.

Copies.

Furnished to teachers and
 administrators, §6-17-206.

Exceptions to provisions, §6-17-202.

Incorporation into teachers' contracts,
 §6-17-204.

Written policies, §6-17-201.

Pledge of Allegiance.

Recitation requirement, §6-16-108.

Principals.

Duties and responsibilities.

Generally, §6-17-302.

Employment, §§6-17-301, 6-17-302.

Student crimes, reporting, §6-17-113.

Professional development.

A-Lift program, §6-1-202.

Comprehensive, testing, assessment
 and accountability program,
 §6-15-426.

Delta region, §6-1-202.

Public education act of 1997.

General provisions, §§6-15-1001 to
 6-15-1011.

See EDUCATION.

Pupils.

Student drug abuse.

Reports.

Immunity from civil liability,
 §6-17-107.

Records.

Accumulated sick leave.

Maintenance of records, §6-17-1205.

Attendance records.

Revocation of license for falsifying,
 §6-17-407.

Required, §6-17-104.

Recruitment.

Minority recruitment and training
 program.

Recruitment advisory council,
 §6-17-1903.

TEACHERS —Cont'd**Recruitment —Cont'd**

Minority recruitment and training program —Cont'd

Recruitment plan, §§6-17-1901, 6-17-1902.

Office for the purpose of teacher recruitment, §6-17-310.

University assisted teacher recruitment and retention grant program, §6-81-1301.

Religious clothing.

Authorization to wear, §6-17-108.

Relocation expenses,

reimbursement, §6-17-308.

Reports.

Abusing or insulting teacher engaged in school responsibilities.

Prosecutions to be reported to department of education, §6-17-106.

Final month's pay withheld until reports returned, §6-17-104.

Reporting student drug abuse.

Immunity from civil liability, §6-17-107.

Required, §6-17-104.

Rules and regulations.

Certification, §6-17-402.

Enhancement and retraining grant program.

Department of higher education, §6-81-603.

Salaries.

Additional days, §6-17-807.

Examination of teachers' contracts, §6-17-920.

Void without contract, §6-17-919.

Warrants.

Void without contract, §6-17-919.

Audits of accounts, §6-17-913.

Certification.

Void without valid certificate, §6-17-919.

Computation by local districts, §6-20-320.

Countersigning, §6-17-918.

Daily register.

Final month's pay withheld until registers and reports returned to county supervisor, §6-17-104.

Definitions, §6-17-902.

District budgets, §6-17-914.

Educational excellence trust fund, §6-5-307.

Educator compensation act of 2001, §§6-17-2101 to 6-17-2106.

TEACHERS —Cont'd**Salaries —Cont'd**

Equalization, §§6-17-2101 to 6-17-2106.

Audits, §6-17-2106.

Citation of act, §6-17-2101.

Defined terms, §6-17-2103.

Exemptions, §6-17-2105.

Implementation, method, §6-17-2104.

Intent, §6-17-2102.

Legislative findings, §6-17-2102.

Method of implementation, §6-17-2104.

Noncompliance, effect, §6-17-2106.

Purpose, §6-17-2102.

Rulemaking authority, §6-17-2106.

Short title, §6-17-2101.

Waivers, §6-17-2105.

Funds, §6-17-907.

Advances from other funds, §6-17-912.

Audits of accounts, §6-17-913.

County collectors.

Settlements.

Failure to make settlements, §6-17-911.

County treasurers.

Advances from other funds, §6-17-912.

Duties, §6-17-907.

Failure to make records and settlements, §6-17-911.

Records, §6-17-907.

Failure to make records, §6-17-911.

Teachers salary fund, §6-17-908.

Increase in base salaries, §6-17-1002.

Indefinite teacher employment contracts, §6-17-801.

Amount of salary, §6-17-801.

Other provisions of contract remain effective, §6-17-801.

Insurance.

Deductions for group insurance premium, §6-17-804.

Lists.

Filing of personnel lists, §6-17-915.

Membership dues.

Deductions, §6-17-805.

Teacher.

Defined, §6-17-805.

Minimum base salary, §§6-17-1001 to 6-17-1004.

Annual review, §6-17-1002.

Enforcement, §6-17-1003.

Master's degree, §6-17-1001.

Rules and regulations, §6-17-1003.

TEACHERS —Cont'd**Salaries —Cont'd**

Payment.

Twelve monthly installments,
§6-17-803.

Personnel lists.

Filing, §6-17-915.

Refunds of unearned salaries,
§6-17-803.

Salary goals, §6-17-1004.

Schedule.

Required to be in school district's
written personnel policies,
§6-17-201.

Study commission, §6-17-806.

Teachers' salaries study commission,
§6-17-806.

Teachers salary fund, §6-17-908.

Title, §6-17-901.

Unearned salaries.

Refunds, §6-17-803.

Warrants.

Issuance, §6-17-918.

Scholarships.

Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.

Peace officers, firefighters, teachers
and certain state employees.

See UNIVERSITIES AND
COLLEGES.

University assisted teacher
recruitment and retention grant
program, §6-81-1301.

School districts.

Employment of teachers obligated to
another school district.

Liability of hiring district,
§6-17-304.

Student teachers.

Directors may contract, §6-17-305.

School performance report act,
§§6-15-1401, 6-15-1402.

School worker defense program,
§§6-17-1113, 6-17-1118.

Sexual offenses.

Employees convicted of committing,
§6-17-116.

Shortages.

Identifying areas with critical teacher
shortages, §6-1-201.

Sick leave.

Accumulated sick leave.

Defined, §6-17-1202.

Records, §6-17-1205.

Credit for leave accumulated in
another school district,
§6-17-1206.

TEACHERS —Cont'd**Sick leave —Cont'd**

Definitions, §6-17-1202.

Immediate family defined, §6-17-1202.

Injury from assault during
employment, §6-17-1209.

Leave accumulated in another school
district.

Credit, §6-17-1206.

Minimum sick leave.

Each school district to provide,
§6-17-1204.

More liberal sick leave policy.

Authorized, §6-17-1208.

Payment for unused sick leave,
§6-17-1207.

Policies for administering sick leave,
§6-17-1203.

Records.

Accumulated sick leave, §6-17-1205.

Regulations for administering sick
leave, §6-17-1203.

Short title, §6-17-1201.

Teacher defined, §6-17-1202.

Title.

Short title, §6-17-1201.

Unused sick leave.

Accumulation, §6-17-1205.

Payment, §6-17-1207.

Staff development sessions,
§6-17-702.

**State teacher assistance resource
program,** §§6-81-1501 to 6-81-1507.

Administration, §6-81-1504.

Citation of act, §6-81-1501.

Commission, §6-81-1507.

Creation, §6-81-1503.

Deferral of loan repayment,
§6-81-1506.

Definitions, §6-81-1502.

Duration of loan, §6-81-1506.

Eligibility of students, §6-81-1505.

Forgiveness of loan, §6-81-1506.

Funding, §6-81-1504.

Purpose, §6-81-1503.

Repayment of loan, §6-81-1506.

Rulemaking authority, §6-81-1506.

Student continuing eligibility,
§6-81-1505.

Title of act, §6-81-1501.

Student teachers.

Assignment, §6-17-305.

Contracts, §6-17-305.

Immunities, §6-17-305.

School districts.

Directors may contract, §6-17-305.

Subject-area certification.

Criteria for assignment, §6-15-1004.

TEACHERS —Cont'd**Substitute teachers.**

Qualifications for long-term assignments, §6-15-1004.

Suspension of students, §6-18-507.**Tenure.**

Dismissal of teachers.

Subchapter not construed as tenure law, §6-17-1503.

Testing programs.

Board to establish certified personnel testing program, §6-17-601.

Certified personnel testing program.

Board to establish, §6-17-601.

New certification.

Application for, §6-17-602.

Personnel trained in or certified by another state, §6-17-601.

Reports.

Confidentiality, §6-17-603.

Test scores, §6-17-603.

Travel reimbursement.

Delta region.

Reimbursement for interview expenses, §6-17-307.

Home economics teachers, §6-17-109.

Tuberculosis.

Certificate of health, §6-17-101.

Examination of school personnel without charge, §6-17-101.

Examination of sputum by hygienic laboratory, §6-17-101.

Uncertified teachers or instructors.

Limitation on time in classroom, §6-17-309.

Universities and colleges.

Early childhood development and teaching.

Funding of projects, §6-5-104.

Guidelines for projects, §6-5-102.

Projects, §6-5-101.

Role of colleges in projects, §6-5-103.

Religious clothing.

Authorization to act, §6-63-101.

State teacher assistance resource program, §§6-81-1501 to 6-81-1507.

Student teachers.

Contracts, §6-17-305.

University assisted teacher recruitment and retention grant program, §6-81-1301.**Vocational-technical teachers.**

Qualification of substitute teacher, §6-15-1004.

Waivers.

Salary equalization.

Exemptions, §6-17-2105.

TEACHERS —Cont'd**Waivers —Cont'd**

Uncertified teachers or instructors.

Limitation on time in classroom, §6-17-309.

Workers' compensation.

Applicability of coverage, §6-17-1401.

Employees.

Method of financing coverage, §6-17-1403.

Forms, §6-17-1404.

Method of financing coverage, §6-17-1403.

Reports.

Filing report by school district officials, §6-17-1404.

Rulemaking power vested in commission, §6-17-1402.

TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM, §§6-50-201 to 6-50-208.

Amount of loan forgiveness, §6-50-207.

Educational programs.

Approval, §6-50-205.

Eligibility.

Institutions, §6-50-204.

Student eligibility, §6-50-206.

Established, §6-50-201.**Failure to repay loans, §6-50-208.****Institutions.**

Eligibility, §6-50-204.

Purpose, §6-50-202.**Repayment of loans, §6-50-208.****State board of workforce education and career opportunities.**

Administration of program, §6-50-203.

Certification of eligible persons, §6-50-206.

Educational program approval and priorities, §6-50-205.

Powers, §6-50-203.

Students.

Application for program, §6-50-206.

Eligibility, §6-50-206.

TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS, §§6-61-1001 to 6-61-1014.**Authority of board of trustees.**

Financing project, §6-61-1012.

Issuance of bonds, §§6-61-1003, 6-61-1011.

Refunding bonds, §6-61-1013.

Use of available funds, §6-61-1014.

Authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS

—Cont'd

Bond issues.

Board of trustees, §§6-61-1003,
6-61-1011.

State board of higher education,
§6-61-1010.

Debt for which full faith and credit of state pledged.

Bonds not considered, §6-61-1009.

Definitions, §6-61-1002.

Financing project.

Authority of board of trustees,
§6-61-1012.

Interest on bonds, §6-61-1007.

Issuance of bonds.

Authority of board of trustees,
§6-61-1011.

Authorizing resolution, §§6-61-1004,
6-61-1005.

State board of higher education,
§6-61-1010.

Negotiation, sale of bonds, §6-61-1008.

Personal liability of board members, §6-61-1009.

Public sale of bonds, §6-61-1008.

Purposes of bonds, §6-61-1003.

Refunding bonds, §6-61-1013.

Resolution authorizing, §6-61-1004.

Additional terms, §6-61-1005.

Sale of bonds, §6-61-1008.

Signature on bonds, §6-61-1006.

State board of higher education authority, §6-61-1010.

Technical college and community college capital improvement act of 1993.

Title of subchapter, §6-61-1001.

Terms of authorizing resolution, §6-61-1004.

Additional terms, §6-61-1005.

Title of subchapter.

Technical college and community
college capital improvement act of
1993, §6-61-1001.

Use of available funds, §6-61-1014.

TECHNICAL COLLEGE DISTRICTS, §§6-53-601 to 6-53-605.

Ad valorem tax levy, §6-53-603.

Amount, §6-53-601.

Collection, §6-53-603.

TECHNICAL COLLEGE DISTRICTS

—Cont'd

Ad valorem tax levy —Cont'd

Continuation after college becomes
branch of existing institution,
§6-53-605.

Election, §6-53-602.

Purpose, §§6-53-601, 6-53-603.

Reduction of millage tax, §6-53-604.

Branch of existing institution of higher education.

Continuation of tax after technical
college becomes, §6-53-605.

Dissolution, §6-53-604.

Election on formation, §6-53-602.

Election on tax levy, §6-53-602.

Formation, §6-53-602.

Intent of subchapter, §6-53-601.

Notice of election, §6-53-602.

Purposes of subchapter, §6-53-601.

TECHNICAL COLLEGES.

Arkansas northeastern college, §§6-59-101 to 6-59-111.

See ARKANSAS NORTHEASTERN
COLLEGE.

Arkansas State university-Beebe, §§6-65-217 to 6-65-224.

See ARKANSAS STATE
UNIVERSITY-BEEBE.

Arkansas state university-Searcy.

General provisions, §§6-56-101 to
6-56-110.

See ARKANSAS STATE
UNIVERSITY-SEARCY.

Arkansas tech university, §§6-57-101 to 6-57-104.

Bond issues for capital improvements.

Generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.

National park community college, §§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY
COLLEGE.

Ouachita technical college, Malvern, §§6-54-101 to 6-54-105.

See OUACHITA TECHNICAL
COLLEGE, MALVERN.

Postsecondary vocational and technical education.

Technical colleges generally,
§§6-53-301 to 6-53-307.

See VOCATIONAL EDUCATION
AND REHABILITATION.

TECHNICAL COLLEGES —Cont'd

Technical college districts, §§6-53-601 to 6-53-605.

See TECHNICAL COLLEGE DISTRICTS.

TECHNOLOGY TRAINING CENTER.

Education service cooperatives, §6-13-1023.

TELECOMMUNICATIONS.**Education.**

Distance learning demonstration project, §§6-47-201 to 6-47-305.

See ADVANCED

COMMUNICATIONS AND INFORMATION TECHNOLOGY.

Distance learning development project, §§6-47-401 to 6-47-405.

TELEVISION.

Educational television, §§6-3-101 to 6-3-113.

See EDUCATIONAL TELEVISION.

TERRORISM.**Education.**

Emergency plans for terrorist attacks, §6-15-1302.

TEXTBOOKS.

General provisions, §§6-21-401 to 6-21-413.

See EDUCATION.

TIME.**Education.**

Beginning of school year.

Uniform date, §6-10-106.

Fiscal year, §6-20-410.

School elections.

Date of annual election, §6-14-102.

School year.

Extension beyond Memorial day, §6-10-106.

TRANSPORTATION.**University of Arkansas.**

Free transportation for certain officers, §6-64-105.

Research and education program.

Funding, §6-64-1010.

TREASURER OF STATE.**Education.**

Federal aid.

State treasurer designated as trustee, §6-11-113.

Henderson State University.

Board of trustees.

Funds.

Custodian of funds, §6-66-110.

TREASURER OF STATE —Cont'd**University of Central Arkansas.**

Funds.

Duties, §6-67-111.

TRESPASS.**Deaf persons.**

School for the deaf.

Action for trespass or other wrongs brought by state, §6-43-304.

Education.

Disturbance created by persons not students.

Penalty, §6-21-606.

TRUSTS AND TRUSTEES.**Educational excellence trust fund.**

General provisions, §§6-5-301 to 6-5-308.

See EDUCATION.

Foreign languages.

Teacher training program, §6-16-127.

Universities and colleges.

Board of higher education.

Administration of trusts and endowments, §6-61-213.

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution.

Separate deposit, §6-62-507.

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

TUBERCULOSIS.**Education.**

Employees.

Examination of sputum by hygienic laboratory, §6-17-101.

Examination of school personnel without charge, §6-17-101.

Teachers.

Certificate of health, §6-17-101.

Examination of school personnel without charge, §6-17-101.

TUBERCULOSIS —Cont'd**Teachers** —Cont'd

Examination of sputum by hygienic laboratory, §6-17-101.

TUITION.

Community colleges, §6-61-523.

National guard.

Tuition assistance plan, §6-60-211.

Tax-deferred tuition savings

program, §§6-84-101 to 6-84-113.

See TAX-DEFERRED TUITION SAVINGS PROGRAM.

Universities and colleges.

Board of higher education.

Powers and duties as to student fees, §6-61-215.

Dental students in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Military affairs.

In-state tuition for military personnel and dependents, §6-60-205.

World War I veterans.

Free tuition, §6-60-206.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules and regulations, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Tax-deferred tuition savings program, §§6-84-101 to 6-84-113.

See TAX-DEFERRED TUITION SAVINGS PROGRAM.

Veterans.

Children of certain veterans, §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

University of Arkansas for medical sciences.

Medical department.

Fees, §6-64-408.

TWIN LAKES**VOCATIONAL-TECHNICAL SCHOOL, HARRISON.**

Institution designated as technical college, §6-53-301.

U**UNITED STATES.****Agricultural colleges.**

Arkansas state university.

Federal aid.

Vouchers drawn by disbursing agent, §6-65-204.

Education.

Schoolhouses.

Self-insurance.

Effect of federal assistance, §6-20-1509.

Student loans.

Guarantee foundation.

Administration of student loan provisions of federal laws, §6-81-201.

Universities and colleges.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

University of Arkansas.

Agricultural experiment stations.

Bureau of research and statistics.

Collaboration with United States bureau, §6-64-714.

Contracts with United States, §6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions of grant.

Acceptance of conditions, §6-60-101.

UNIVERSITIES AND COLLEGES.**Academic challenge scholarship**

program, §§6-82-1001 to 6-82-1010.

Amount of award, §6-82-1006.

Creation, §6-82-1003.

Declaration of public necessity, §6-82-1001.

Definitions, §6-82-1002.

Department of higher education.

Authority, §6-82-1004.

Duration of award, §6-82-1006.

Eligible students, §6-82-1005.

Legislative findings, §6-82-1001.

Nursing school eligibility, §6-82-1007.

Priority for teaching commitment, §6-82-1009.

Teaching requirements, §6-82-1010.

Unfunded awards, §6-82-1008.

Academic clemency, §6-60-207.**Accounts and accounting.**

Office of accountability.

Generally, §§6-61-901 to 6-61-905.

See within this heading, "Office of accountability."

UNIVERSITIES AND COLLEGES

—Cont'd

Actions.

Improvement districts.

Assessments.

Liens.

Enforcement. See within this heading, "Improvement districts."

Admissions.

College preparatory core curriculum completion required, §6-60-208.

Conditional collegiate admission process, §6-60-208.

Nonresidents.

Regulation of admission and enrollment, §6-60-201.

Off-campus enrollments, §6-60-203.

Standards to be developed by college or university, §6-60-208.

Advertising.

Private outside work using campus facilities.

Publicity and advertising to show institution and state not contractually obligated, §6-62-401.

Advisory committees and consuls, §6-61-204.**Affirmative action programs,** §6-63-103.**Aged persons.**

Fees.

Waiver of general student fee charges, §6-60-204.

American sign language.

Qualification as foreign language, §6-61-125.

Appeals.

Improvement districts.

Assessments, §6-71-107.

Actions to enforce lien, §6-71-136.

Appraisals and appraisers.

Transfer and lease of state university property.

Determination of fair market value, §6-62-610.

Appropriations.

Transfer of appropriations, §6-62-104.

Arkansas college savings bond act of 1989, §§6-62-701 to 6-62-725.**Arkansas higher education performance reporting system,** §6-61-127.**Arkansas institution for advocacy for the blind,** §§6-61-115 to 6-61-117.**UNIVERSITIES AND COLLEGES**

—Cont'd

Arkansas institution for advocacy for the deaf, §§6-61-118 to 6-61-120.**Arkansas Northeastern college.**

General provisions, §§6-59-101 to 6-59-111.

See ARKANSAS NORTHEASTERN COLLEGE.

Arkansas State University.

Generally, §§6-65-201 to 6-65-224.

See ARKANSAS STATE UNIVERSITY.

Arkansas State University-Beebe, §§6-65-217 to 6-65-224.

See ARKANSAS STATE UNIVERSITY-BEEBE.

Arkansas State University-Searcy.

General provisions, §§6-56-101 to 6-56-110.

See ARKANSAS STATE UNIVERSITY-SEARCY.

Arkansas tech university, §§6-57-101 to 6-57-104.

Generally, §§6-65-301 to 6-65-305.

See ARKANSAS TECH UNIVERSITY.

Arkansas workforce improvement grant program, §§6-82-1601 to 6-82-1614.

Academic and financial need criteria, §§6-82-1605, 6-82-1606.

Administration, §6-82-1604.

Advisory committee, §6-82-1612.

Age requirement, §6-82-1605.

Amounts of grants, §6-82-1608.

Application process, §6-82-1607.

Authority of department of higher education, §6-82-1604.

Creation, §6-82-1603.

Definitions, §6-82-1602.

Department approval of student transfers, §6-82-1611.

Direct aid to students, §6-82-1609.

Duties of advisory committee, §6-82-1612.

Duties of grant applicants, §6-82-1607.

Eligibility, §6-82-1605.

Entitlement to grant, §6-82-1606.

Establishment, §6-82-1603.

Funding, §6-82-1614.

High school or G.E.D. diploma requirement, §6-82-1605.

Legislative findings, §6-82-1601.

Maximum total grant amount, §6-82-1608.

Public policy, §6-82-1601.

UNIVERSITIES AND COLLEGES

—Cont'd

Arkansas workforce improvement grant program —Cont'dRefund payments to department,
§6-82-1610.

Reporting by department, §6-82-1613.

Rulemaking authority, §§6-82-1604,
6-82-1613.

Student awards, §6-82-1609.

Student transfers to another school,
§6-82-1611.

Withdrawal and refunds, §6-82-1610.

Assessments.Improvement districts. See within this
heading, "Improvement districts."Student assessment programs,
§6-61-111.**Athletic programs.**Assessment of student athletic fee,
§6-62-804.

Board of trustees.

Certification of program, §6-62-805.

Declaration of purpose, §6-62-801.

Deficits, §6-62-804.

Definitions, §6-62-802.

Funding limits, §6-62-803.

Limits of funding, §6-62-803.

Purpose of subchapter, §6-62-801.

Reporting expenditures, §6-62-807.

Rulemaking power of state board of
higher education, §6-62-806.

State board of higher education.

Rulemaking authority, §6-62-806.

Uniform reporting of athletic
expenditures and revenue,
§6-62-106.

Women's athletic programs.

Discrimination prohibited,
§6-62-806.**Attorney general.**

Eminent domain.

Legal representation of board of
trustees, §6-62-201.**Audits.**

Enrollment data, §6-60-209.

Blind persons.Arkansas institution for advocacy for
the blind, §§6-61-115 to 6-61-117.Electronic versions of instructional
materials.

Transcription into Braille, §6-68-105.

Board of higher education.

Advisory committees and consuls.

Authority to establish, §6-61-204.

Athletic programs.

Rulemaking authority, §6-62-806.

Budgets, §6-61-209.

UNIVERSITIES AND COLLEGES

—Cont'd

Board of higher education —Cont'd

Chairman, §6-61-201.

Compensation, §6-61-201.

Director, §6-61-203.

Compensation, §6-61-203.

Qualifications, §6-61-203.

Duties, §6-61-202.

Endowments.

Administration, §6-61-213.

Federal aid.

State agency for federal programs,
§6-61-212.

Finance.

Allocation of additional state funds,
§6-61-210.

Meetings, §6-61-201.

State board of education.

Joint meetings, §6-1-102.

Membership, §6-61-201.

Minority scholarship or grant
program.

Annual review, §6-82-102.

New units of instruction, research and
public service.

Defined, §6-61-208.

Proposals for.

Evaluation, §6-61-208.

Personnel.

Policies and administration,
§6-61-214.

Planning.

Encouragement of participation,
§6-61-305.

Master plan, §6-61-205.

Review of programs, §6-61-207.

Studies, surveys and evaluations,
§6-61-206.

Powers, §6-61-202.

Reports.

State board of education.

Joint annual report, §6-1-102.

Review of programs, §6-61-207.

Rising junior test, §6-61-114.

Savings bonds.

Powers and duties.

Issuance of bonds, §6-62-709.

Staff, §6-61-203.

Studies, §6-61-206.

Surveys, §6-61-206.

Technical or community college capital
improvement bonds.

Authority of state board, §6-61-1010.

Terms of members, §6-61-201.

UNIVERSITIES AND COLLEGES

—Cont'd

Board of higher education —Cont'd

Transfer students.

Policies for, §6-61-216.

Trusts.

Administration, §6-61-213.

Tuition.

Powers and duties as to student fees, §6-61-215.

Uniform reporting standards as to revenues and expenditures by institutions.

Establishment by board, §6-61-222.

Boards of trustees.

Athletic programs.

Certification of program, §6-62-805.

Duties.

Existing governing boards.

Powers and duties unaffected, §6-61-103.

Powers.

Existing governing boards.

Powers and duties unaffected, §6-61-103.

Bond issues.

Buildings. See within this heading, "Buildings."

Improvement districts.

Authority, §6-71-115.

Savings bonds, §§6-62-701 to 6-62-725.

See within this heading, "Savings bonds."

Technical college and community college capital improvements, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Bonds, surety.

Improvement districts.

Collectors and treasurer, §6-71-114.

Borrowing money.

Private borrowing, §6-62-105.

Branch campus or program.

Establishment.

Procedure for approval, §6-61-303.

Budgets.

Board of higher education, §6-61-209.

Buildings.

Bond issues.

Authorized, §6-62-305.

Board of higher education.

Review of proposed bond issues, §6-61-202.

UNIVERSITIES AND COLLEGES

—Cont'd

Buildings —Cont'd

Bond issues —Cont'd

Commission on coordination of higher education finance.

Advice necessary prior to issuance, §6-62-306.

Nonbinding effect of advice on board of institution, §6-62-306.

Construction and effect of act, §6-62-306.

Information submitted to commission, §6-62-306.

Notice of advice, §6-62-306.

Construction and interpretation.

Liberal construction, §6-62-301.

Execution of bonds or notes, §6-62-307.

Liability on bonds, §6-62-309.

Liberal construction, §6-62-301.

Pledge of revenues, funds, etc., §6-62-305.

Refinancing valid outstanding obligations.

Cancellation of refunded outstanding obligations, §6-62-312.

Terms and conditions, §6-62-312.

Refunding bonds.

Cancellation of refunded outstanding obligations, §6-62-312.

Terms and conditions, §6-62-312.

Related agreements authorized, §6-62-310.

Terms and conditions of bonds, §6-62-308.

Construction.

Authorized, §6-62-302.

Fees and charges.

Fixing, §6-62-311.

Financing.

Authorized, §6-62-303.

Temporary financing, §6-62-304.

Bond issues. See within this subheading, "Bond issues."

Notes.

Financing of buildings. See within this subheading, "Bond issues."

Purchase.

Authorized, §6-62-302.

Refunding bonds, §6-62-312.

Cancellation of refunded outstanding obligations, §6-62-312.

UNIVERSITIES AND COLLEGES

—Cont'd

Buildings —Cont'd

Rents.

Fixing, §6-62-311.

Bylaws.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

Campuses.

Private outside work using campus facilities. See within this heading, "Private outside work using campus facilities."

Catastrophic leave bank program for employees, §§6-63-601, 6-63-602.**Chancellors of universities.**

Housing allowance, §6-62-108.

Charters.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

College preparatory core curriculum.

Completion for unconditional admission to public institution of higher education, §6-60-208.

Commission on coordination of higher education finance.

Buildings.

Bond issues. See within this heading, "Buildings."

Designation as state agency for grants under federal act, §6-62-313.

Community college capital improvements.

Bond issues generally, §§6-61-1001 to 6-61-1014.

See TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.

Conditional collegiate admission process, §6-60-208.**Conservation.**

Courses of study, §6-61-107.

Consolidations and mergers, §6-60-102.**Consortium.**

Southwest Arkansas higher education consortium, §6-61-1201.

Constitution of the United States.

Course in United States constitution. Required, §6-61-106.

Construction.

Buildings.

Self-liquidating projects, §6-62-306.

UNIVERSITIES AND COLLEGES

—Cont'd

Construction —Cont'd

Improvement districts.

Inducing existing institution to move to district, §6-71-141.

Construction and interpretation.

Buildings.

Bond issues.

Commission on coordination of higher education financing, §6-62-306.

Liberal construction, §6-62-301.

Constructive service.

Improvement districts.

Assessment liens.

Actions to enforce.

Notice by constructive service, §6-71-124.

Contracts.

Faculty/administrator development fellows program.

Written contract required, §6-63-410.

Military training property and equipment, §6-62-102.

Southern regional education compact. Board.

Cooperation and contracts with board, §6-61-402.

Transfer and lease of property of state university.

Execution of contracts, §6-62-605.

Conveyances.

Transfer and lease of state university property.

Instruments of conveyance, §6-62-611.

Trust conveyances to state for higher learning institutions. See within this heading, "Trusts and trustees."

Core curriculum completion for unconditional admission to public institution of higher education, §6-60-208.**Courses of study.**

American history and civil government, §6-61-105.

American institutions and ideals, §6-61-106.

Conservation of natural resources, §6-61-107.

Extension courses. See within this heading, "Extension courses."

High school students.

Credit for college courses, §6-18-223.

UNIVERSITIES AND COLLEGES

—Cont'd

Courses of study —Cont'd

Minimum college core.

Establishment, §6-61-218.

Transferability, §6-61-218.

Remedial courses.

Testing of entering freshmen,
§6-61-110.

United States constitution, §6-61-106.

Damages.

Improvement districts.

Real property.

Petition to acquire private
property.Deposit to cover damages prior
to determination, §6-71-140.Determination of damages,
§6-71-140.

Payment of damages, §6-71-140.

Data processing.

Defined, §6-61-101.

Deaf persons.Aid to deaf students at college,
§6-43-318.American sign language as foreign
language, §6-61-125.Arkansas institution for advocacy for
the deaf, §§6-61-118 to 6-61-120.**Definitions.**Arkansas workforce improvement
grant program, §6-82-1602.

Athletic programs, §6-62-802.

Catastrophic leave bank program,
§6-63-601.

Data processing, §6-61-101.

Improvement districts, §6-71-101.

Minor child, §6-60-210.

Savings bonds, §6-62-703.

Scholarships.

Peace officers, firefighters, teachers
and certain state employees,
§6-82-501.State scholarship program,
§6-82-202.Transfer and lease of property of state
university, §6-62-601.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.Uniform reporting standards as to
revenues and expenditures,
§6-61-222.**Department of higher education.**Academic challenge scholarship
program.

Authority, §6-82-1004.

UNIVERSITIES AND COLLEGES

—Cont'd

Department of higher education

—Cont'd

Arkansas higher education
performance reporting system,
§6-61-127.Faculty/administrator development
fellows program.Administration of program,
§§6-63-402, 6-63-403.

Planning.

Encouragement of participation by
private institutions, §6-61-305.Review of existing programs of higher
education.Duties of department to review,
§6-61-304.

Scholarships.

State scholarship program.

Administration generally,
§6-82-204.Second effort scholarship program,
§6-82-1105.**Disabled persons.**

Immunization of enrollees.

Physical disabilities, §6-60-504.

Discrimination.

Athletic programs.

Women's athletic programs.

Nondiscriminatory application of
subchapter.

Required, §6-62-806.

Electronic versions of instructional
materials.Failure to comply with provisions as
act of discrimination, §6-68-108.

Employees.

Affirmative action programs,
§6-63-103.**Diseases.**Immunization of enrollees, §§6-60-501
to 6-60-504. See within this
heading, "Immunization of
enrollees."Meningococcal disease warning,
§6-61-123.**Driver education and training
programs,** §6-61-109.**Early childhood development and
teaching.**

Funding of projects, §6-5-104.

Guidelines for projects, §6-5-102.

Projects authorized, §6-5-101.

Role of colleges in projects, §6-5-103.

Elections.

Improvement districts.

Approval of chapter.

Election method, §6-71-105.

UNIVERSITIES AND COLLEGES

—Cont'd

Electronic communications.

Privacy policy, §6-61-126.

Electronic versions of instructional materials, §§6-68-101 to 6-68-108.

Braille.

Transcription into, §6-68-105.

Copyright protection, §6-68-106.

Definitions, §6-68-101.

Discrimination.

Failure to comply with provisions to constitute, §6-68-108.

Guidelines for implementation of provisions, §6-68-107.

Nonprinted instructional materials, §6-68-104.

Printed instructional materials, §6-68-102.

Student use requirement, §6-68-103.

Requests for, §6-68-105.

Eminent domain.

Action brought in name of board of trustees, §6-62-201.

Granting power to state colleges and universities.

Exception, §6-62-201.

Legal representation of board.

Attorney general and prosecuting attorneys to represent board, §6-62-201.

Procedure followed in action, §6-62-201.

Resolution, §6-62-201.

Employees.

Affirmative action programs, §6-63-103.

Catastrophic leave bank program, §§6-63-601, 6-63-602.

Higher education expenditure restrictions.

Additional duties.

Additional compensation, §6-63-306.

Additional help restrictions, §6-63-314.

Additional positions.

Upon availability of additional funds, §6-63-305.

Maximum number, §6-63-305.

Adjunct professors, §6-63-315.

Applicability of subchapter, §6-63-302.

Other fiscal laws not superseded, §6-63-302.

Citation of subchapter, §6-63-301.

Extra help restrictions, §6-63-314.

UNIVERSITIES AND COLLEGES

—Cont'd

Employees —Cont'd

Higher education expenditure restrictions —Cont'd

Faculty recruitment, §6-63-309.

Exceptions to maximum salary levels, §6-63-309.

National center for toxicological research.

Special authorizations and contracts, §6-63-311.

New positions, §6-63-305.

Nine month and part-time employees, §6-63-303.

Maximum annual salary, §6-63-303.

Optional payment in twelve monthly installments, §6-63-303.

Other fiscal laws not superseded, §6-63-302.

Overtime for classified positions, §6-63-308.

Limitations, §6-63-308.

Part-time employees, §6-63-303.

Maximum annual salary, §6-63-303.

Optional payment in twelve monthly installments, §6-63-303.

Payroll deductions, §6-63-304.

Penalties.

Violations of provisions regarding salary restrictions, §6-63-307.

Program transfers.

Reorganization and consolidation of administrative functions, §6-63-310.

Reports.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Salaries, §6-63-307.

Additional compensation, §6-63-307.

Additional duties, §6-63-306.

Penalties, §6-63-307.

Deductions from payrolls, §6-63-304.

Faculty recruitment.

Exceptions to maximum salary levels, §6-63-309.

Nine month and part-time employees.

Maximum annual salary, §6-63-303.

UNIVERSITIES AND COLLEGES

—Cont'd

Employees —Cont'dHigher education expenditure
restrictions —Cont'd

Salaries —Cont'd

Nine month and part-time
employees —Cont'dOptional payment in twelve
monthly installments,
§6-63-303.

Penalties, §6-63-307.

Private contributors.

Authorization for increases in
maximum compensation
levels, §6-62-103.Increase in maximum
authorized compensation
levels, §6-62-103.Qualifications of recipients of
increase in maximum
authorized levels, §6-62-103.

Short title, §6-63-301.

Title of subchapter, §6-63-301.

Transfer of appropriations from
contingency appropriation,
§6-63-312.

Monthly reports, §6-63-312.

Transfer of programs.

Reorganization and consolidation
of administrative functions,
§6-63-310.

Visiting professors, §6-63-315.

Insurance.

Salary deductions for group
insurance premiums, §6-63-102.

Reports.

Higher education expenditure
restrictions, §6-63-312.

Salaries.

Insurance.

Deductions for group insurance
premiums, §6-63-102.

Sick leave.

Catastrophic leave bank program,
§§6-63-601, 6-63-602.

Social security number.

Use on employee identification
cards, §6-61-126.**Enrollment data**, §6-60-209.**Exemptions from provisions.**

Southern Arkansas university.

El Dorado branch, §6-61-102.

Southwest technical institute,
§6-61-102.**Expansion of institutions**, §6-61-303.**Expenditure uniform reporting
standards**, §6-61-222.**UNIVERSITIES AND COLLEGES**

—Cont'd

Extension courses.

Authorized, §6-60-402.

Courses of instruction, §6-60-404.

Establishment.

Authority, §6-60-402.

Facilities, §6-60-404.

Guidelines, §6-60-403.

Legislative intent, §6-60-401.

Purpose of provisions, §6-60-401.

Requirements, §6-60-403.

Eye protection, §6-61-108.**Faculty/administrator development
fellows program.**

Administration of program.

Department of higher education,
§§6-63-402, 6-63-403.

Alumni.

Levels of support, §6-63-407.

Payment of fellowship award,
§6-63-409.

Qualifications, §6-63-409.

Contracts.

Written contract required,
§6-63-410.Current faculty, administrators and
other employees.

Levels of support, §6-63-407.

Matching funds, §6-63-408.

Qualifications, §6-63-408.

Salary and benefits, §6-63-408.

Department of higher education.

Administration of program,
§§6-63-402, 6-63-403.

Duration of designation, §6-63-411.

Renewal of designations, §6-63-412.

Eligibility, §6-63-406.

Establishment of program, §6-63-402.

Funds.

Matching funds, §6-63-404.

Allocation, §6-63-411.

Current faculty, administrators
and other employees,
§6-63-408.

Legislative declaration, §6-63-401.

Levels of support, §6-63-407.

Limitations on number of persons
receiving payments, §6-63-405.

Matching funds, §6-63-404.

Allocation, §6-63-411.

Current faculty, administrators and
other employees, §6-63-408.Number of persons receiving
payments.

Limitation, §6-63-405.

Postfellowship employment, §6-63-413.

Termination, §6-63-414.

Purposes, §6-63-401.

UNIVERSITIES AND COLLEGES

—Cont'd

Faculty/administrator development fellows program —Cont'd

Qualifications, §6-63-406.

Repayment, §6-63-415.

Salaries.

Postfellowship employment,
§6-63-413.Termination of fellowship or
employment, §6-63-414.

Repayment, §6-63-415.

Faculty performance review,
§6-63-104.**Federal aid.**

Board of higher education.

State agency for federal programs,
§6-61-212.Student incentive grant program,
§6-61-401.**Fees.**

Aged persons.

Waiver of general student fee
charges for persons over sixty,
§6-60-204.

Tuition.

Prisoners of war or persons missing
or killed in action.Free tuition and fees for
dependents, §6-82-601.**Finance.**

Board of higher education.

Allocation of additional state funds,
§6-61-210.

Buildings.

Bond issues. See within this
heading, "Buildings."Commission on coordination of higher
education finance.

Buildings.

Bond issues. See within this
heading, "Buildings."Designation as state agency for
grants under federal act,
§6-62-313.**Financial aid formula, §§6-61-223,**
6-61-224.**Forms.**

Improvement districts.

Assessments.

Collection of assessments,
§§6-71-116, 6-71-117.**Funds.**Faculty/administrator development
fellows program.

Matching funds, §6-63-404.

Allocation, §6-63-411.

UNIVERSITIES AND COLLEGES

—Cont'd

Funds —Cont'dFaculty/administrator development
fellows program —Cont'd

Matching funds —Cont'd

Current faculty, administrators
and other employees,
§6-63-408.Higher education consolidation
matching fund, §6-60-102.

Research development.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Governor's scholars program,
§§6-82-301 to 6-82-314.

See EDUCATION.

Graduation.

Rates.

Information, §6-61-220.

Grants.Arkansas workforce improvement
grant program, §§6-82-1601 to
6-82-1614.

Selective service act.

Compliance with required,
§6-80-102.Student incentive grant program,
§6-61-401.**Guardians ad litem.**

Improvement districts.

Assessments.

Actions to enforce lien.

Appointment of guardian ad
litem for persons under a
disability, §6-71-138.**Hazing.**General provisions, §§6-5-201 to
6-5-204.

See HAZING.

Henderson State University,
§§6-66-101 to 6-66-113.See HENDERSON STATE
UNIVERSITY.**Higher education minority retention
programs, §6-61-122.**

Minority defined, §6-61-121.

**Higher education tuition adjustment
fund, §6-60-303.****High school students.**Enrollment of qualified students as
part-time students in institutions
of higher education, §6-60-202.Minimum core courses for college prep,
§6-61-217.**History.**Course in American history and civil
government.

Required, §6-61-105.

UNIVERSITIES AND COLLEGES

—Cont'd

Identification cards.

Student or employee identification cards.

Prohibited use of social security number, §6-61-126.

Immunization of enrollees.

Legislative declaration.

Purpose of subchapter, §6-60-501.

Physical disabilities, §6-60-504.

Proof of immunity, §6-60-502.

Time, §6-60-502.

Purpose of subchapter, §6-60-501.

Religious objections, §6-60-504.

Rules and regulations.

Authority of state board of health to adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Appeals.

Assessments, §6-71-107.

Applicability of provisions.

Exceptions.

Commission form of government, §6-71-102.

Approval of chapter.

Election method, §6-71-105.

Petition method, §6-71-105.

Assessments.

Amount.

Limitation, §6-71-111.

Maintenance assessments, §6-71-113.

Appeals, §6-71-107.

Apportionment, §6-71-108.

Correction of description of property, §6-71-129.

Deferral of levy, §6-71-110.

Delinquencies.

Penalties, §6-71-118.

Forms.

Warrant for collection of assessments, §6-71-116.

Installments.

Annual installments, §6-71-108.

Levy of assessment.

Deferral of levy, §6-71-110.

Liens.

Actions to enforce.

Allowance to special commissioner for sale of land, §6-71-132.

Appeals to supreme court, §6-71-136.

Best bidder to have property sold to him, §6-71-131.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Brought in name of district, §6-71-127.

Cause of action, §6-71-119.

Certificate of purchase to be filed as prerequisite to issuance of deed, §6-71-130.

Commissioner's deed to purchaser, §6-71-130.

Constructive service of process, §6-71-124.

Correction of description of property, §6-71-129.

Decree, form, §6-71-126.

Deed of commissioner to purchaser, §6-71-130.

Default decrees, §6-71-123.

Defendants, §6-71-122.

Direction for sale of property, §6-71-128.

District to purchase where no other purchaser, §6-71-131.

Exhibition of resolutions or documents unnecessary, §6-71-120.

Filing of certificate of purchase as prerequisite to issuance of deed, §6-71-130.

Form of decree, §6-71-126.

Generally, §6-71-119.

Guardian ad litem appointed in cases of owners' disability, §6-71-138.

In rem proceedings where owner unknown, §6-71-122.

Interest on redemption, §6-71-134.

Joinder of actions against several owners, §6-71-121.

Mentally diseased or defective owners, §6-71-137.

Minor owners, §6-71-137.

Nonresident owners, §6-71-137.

Notice by publication, §6-71-137.

Owner to reimburse purchaser for assessments paid upon redemption, §6-71-135.

Payment to clerk to redeem, §6-71-134.

Precedence over other cases, §6-71-125.

Price paid special commissioner to be stated in certificate of purchase, §6-71-133.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Assessments —Cont'd

Liens —Cont'd

Actions to enforce —Cont'd

Publication of notice,

§§6-71-124, 6-71-137.

Redemption, §6-71-134.

Reimbursement for assessments
by purchaser, §6-71-135.Resolutions or documents need
not be exhibited, §6-71-120.

Sale of property, §6-71-128.

Special commissioner to receive
allowance for sale of land,
§6-71-132.Statement of price paid special
commissioner in certificate
of purchase, §6-71-133.Suit in name of district,
§6-71-127.Summons and process,
§6-71-123.Supreme court appeals,
§6-71-136.Supreme court decision,
§6-71-136.Time for appeal to supreme
court, §6-71-136.Time limit for redemption,
§6-71-134.Transcript on appeal to supreme
court, §6-71-136.Assessment as lien on real
property, §6-71-109.Maintenance assessments,
§6-71-113.

Limitation, §6-71-111.

Maintenance assessments,
§6-71-113.

Notice.

Actions to enforce lien, §6-71-137.

Collection.

Form, §6-71-117.

Publication, §6-71-117.

Filing of assessments, §6-71-107.

Maintenance assessments,
§6-71-113.Sale of property to enforce lien,
§6-71-128.

Procedure, §6-71-107.

Railroads, §6-71-112.

Tramroads, §6-71-112.

Warrant for collection.

Form, §6-71-116.

Assessors.

Appointment, §6-71-107.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Assessors —Cont'd

Assessments generally. See within
this subheading, "Assessments."

Defined, §6-71-101.

Oath, §6-71-107.

Benefits.

Requirements for receipt, §6-71-142.

Bond issues.

Authority to issue, §6-71-115.

Borrowing money.

Authority to borrow, §6-71-115.

City of first class.

Created and constituted a special
improvement district, §6-71-103.

Collectors.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Defined, §6-71-101.

Commissioners.

Annual statements, §6-71-104.

Assistants.

Employment, §6-71-104.

Defined, §6-71-101.

Management of district, §6-71-104.

Oath, §6-71-104.

Organization, §6-71-104.

Per diem, §6-71-104.

Quorum, §6-71-104.

Rules and regulations, §6-71-104.

Vacancies, §6-71-104.

Commission form of government.

Exception as to cities with,
§6-71-102.Construction and maintenance of
college or university.Inducing existing institution to move
to district, §6-71-141.

Corporate limits.

Defined, §6-71-101.

Counties.

Multidistrict counties, §6-71-106.

Definitions, §6-71-101.

Elections.

Approval of chapter, §6-71-105.

First class city.

Created and constituted a special
improvement district, §6-71-103.Inducing existing institution to move
to district, §6-71-141.

Multidistrict counties, §6-71-106.

Notice.

Assessments, §§6-71-107, 6-71-113.

Action to enforce lien, §6-71-137.

Notice for collection, §6-71-117.

UNIVERSITIES AND COLLEGES

—Cont'd

Improvement districts —Cont'd

Notice —Cont'd

Assessments —Cont'd

Sale of property to enforce lien,
§6-71-128.Public notice of passage of chapter,
§6-71-105.

Real property.

Petition to acquire, §6-71-140.

Petitions.

Approval of chapter, §6-71-105.

Real property.

Defined, §6-71-101.

Petition to acquire private property.

Contents, §6-71-140.

Damages.

Deposit to cover damages prior
to determination, §6-71-140.

Determination, §6-71-140.

Payment, §6-71-140.

Deposit to cover damages prior to
determination, §6-71-140.Entry on land after deposit,
§6-71-140.

Jury trial, §6-71-140.

Notice to owner, §6-71-140.

Power to hold and acquire,
§6-71-139.Requirements for receipt of benefits,
§6-71-142.

Treasurer.

Appointment, §6-71-114.

Bonds, surety, §6-71-114.

Compensation, §6-71-114.

Incorporation.

Advisory committee, §6-61-302.

Composition, §6-61-302.

Expenses of members, §6-61-302.

Terms of members, §6-61-302.

Certificate, §6-61-301.

Generally, §6-61-301.

Misdemeanors.

Violations of provisions, §6-61-301.

Penalties.

Violations of provisions, §6-61-301.

Revocation of certification, §6-61-301.

In rem proceedings.

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-122.

Insurance.

Employees.

Salary deductions for group
insurance premiums, §6-63-102.**UNIVERSITIES AND COLLEGES**

—Cont'd

Insurance —Cont'dTransfer and lease of state university
property.

Title insurance, §6-62-611.

Interest.

Improvement districts.

Assessments.

Actions to enforce lien.

Redemption, §6-71-134.

Investments.Transfer and lease of state university
property, §6-62-613.**Jury.**

Improvement districts.

Real property.

Petition to acquire private
property.

Trial by jury, §6-71-140.

Leases.Transfer and lease of property of state
university. See within this
heading, "Transfer and lease of
property."**Liens.**

Improvement districts.

Assessments, §§6-71-109, 6-71-113.

Actions to enforce lien. See within
this heading, "Improvement
districts."**Loans.**Private borrowing by institutions of
higher education, §6-62-105.

Selective service act.

Compliance with required,
§6-80-102.

Student financial aid.

Anti-stacking, §6-80-105.

Student loans.

See STUDENT LOANS.

Mergers, §6-60-102.**Military affairs.**Military training property and
equipment.

Contracts for, §6-62-102.

Prisoners of war or persons missing or
killed in action.

Tuition.

Free tuition and fees for
dependents, §6-82-601.Students called into military service,
§6-61-112.

Tuition.

In-state tuition for military
personnel and dependents,
§6-60-205.

UNIVERSITIES AND COLLEGES

—Cont'd

Military affairs —Cont'd

Tuition —Cont'd

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents, §6-82-601.

Veterans having served between September 16, 1940 and December 31, 1946.

Children of certain veterans, §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

Minority scholarship or grant program.

Annual review, §6-82-102.

Minors.

Improvement districts.

Assessments.

Actions to enforce lien.

Notice by publication for owners under a disability, §6-71-137.

Misdemeanors.

Incorporation.

Violations of provisions, §6-61-301.

Missing in action.

Tuition.

Free tuition and fees for dependents of persons missing or killed in action, §6-82-601.

Mortgages and deeds of trust.

Transfer and lease of state university property.

Right to mortgage or encumber property, §6-62-607.

Motor vehicles.

Driver education and training programs, §6-61-109.

National center for toxicological research.

Employees.

Higher education expenditure restrictions.

Special authorization and contracts, §6-63-311.

National guard.

Participants in the tuition assistance plan.

Tuition waiver for soldiers and airmen, §6-60-211.

National park community college.

General provisions, §§6-58-101 to 6-58-112.

See NATIONAL PARK COMMUNITY COLLEGE.

UNIVERSITIES AND COLLEGES

—Cont'd

Nonresidents.

Admission.

Regulation of admission and enrollment, §6-60-201.

Improvement districts.

Assessments.

Actions to enforce lien.

Publication of notice where owners nonresidents, §6-71-137.

Notes.

Buildings.

Bond issues generally. See within this heading, "Buildings."

Notice.

Buildings.

Bond issues.

Commission on coordination of higher education finance, §6-62-306.

Improvement districts.

Assessments, §§6-71-107, 6-71-113.

Actions to enforce lien.

Publication of notice where owners are nonresidents, infants or persons under a disability, §6-71-137.

Publication of notice for collection, §6-71-117.

Sale of property to enforce lien, §6-71-128.

Public notice of passage of chapter, §6-71-105.

Real property.

Petition to acquire private property, §6-71-140.

Oaths.

Improvement districts.

Assessors, §6-71-107.

Commissioners, §6-71-104.

Off-campus enrollments, §6-60-203.**Office of accountability.**

Created, §6-61-902.

Declaration of purpose, §6-61-901.

Functions, §6-61-902.

Purpose, §6-61-901.

Out-of-state tuition, §6-82-103.**Penalties.**

Higher education expenditure restrictions.

Salary restrictions, §6-63-307.

Improvement districts.

Assessments.

Delinquencies, §6-71-118.

Incorporation.

Violations of provisions, §6-61-301.

UNIVERSITIES AND COLLEGES

—Cont'd

Personnel.

- Board of higher education.
- Policies and administration,
§6-61-214.

Petitions.

- Improvement districts.
- Approval of chapter.
- Petition method, §6-71-105.

Planning.

- Board of higher education.
- Master plan, §6-61-205.
- Review of programs, §6-61-207.
- Studies, surveys and evaluations,
§6-61-206.

- Encouragement of participation by
private institutions, §6-61-305.

Police corps program, §§6-82-1201 to 6-82-1204. See within this heading, "Scholarships."**Presidents of universities.**

- Housing allowance, §6-62-108.

Prisoners of war.

- Tuition.
- Free tuition and fees for dependents,
§6-82-601.

Privacy policy.

- Electronic communications, §6-61-126.

Private outside work using campus facilities.

- Authorization of employees of
institutions.
- Findings, §6-62-401.
- Charge for use of facilities, §6-62-401.
- Findings, §6-62-401.
- Publicity and advertising to show that
institution and state not
contractually obligated, §6-62-401.

Reports.

- Financial reports, §6-62-401.
- Written permission, §6-62-401.

Professional schools.

- Tuition assistance for residents
attending certain out of state
schools, §6-81-1101.

Program transfers, §6-61-104.**Prosecuting attorneys.**

- Eminent domain.
- Legal representation of board,
§6-62-201.

Publication.

- Improvement districts.
- Assessments.
- Actions to enforce lien.
- Notice published where owners
are nonresidents or persons
under a disability,
§6-71-137.

UNIVERSITIES AND COLLEGES

—Cont'd

Publication —Cont'd

- Improvement districts —Cont'd
- Assessments —Cont'd
- Notice for collection, §6-71-117.

Racial minorities.

- Charters, bylaws or rules.
- Removal of unconstitutional or
illegal references to race,
§6-61-113.
- Higher education minority retention
programs, §6-61-122.
- Minority defined, §6-61-121.
- Reporting minority enrollment,
§6-61-124.

Real property.

- Improvement districts.
- Defined, §6-71-101.
- Petition to acquire private property.
- Contents, §6-71-140.
- Damages.
- Deposit to cover damages prior
to determination, §6-71-140.
- Determination, §6-71-140.
- Payment, §6-71-140.
- Deposit to cover damages prior to
determination, §6-71-140.
- Entry on land after deposit,
§6-71-140.
- Jury trial, §6-71-140.
- Power to hold and acquire,
§6-71-139.
- Transfer and lease of property of state
university. See within this
heading, "Transfer and lease of
property."

Recordation.

- Trust conveyances to state for higher
learning institutions, §6-62-503.

Refunding bonds.

- Buildings.
- Bond issues. See within this
heading, "Buildings."

Religion.

- Immunization of enrollees.
- Religious objections, §6-60-504.
- Teachers.
- Religious clothing.
- Authorized to wear, §6-63-101.

Remedial courses.

- Reduction of state funds expended on
remediation, §6-62-107.
- Reporting of graduates requiring
postsecondary remediation,
§6-61-221.
- Testing of entering freshman for,
§6-61-110.

UNIVERSITIES AND COLLEGES

—Cont'd

Reports.

Athletic expenditures and revenues.

Uniform reporting, §6-62-106.

Athletic programs.

Expenditures, §6-62-807.

Employees.

Higher education expenditure restrictions.

Transfers of appropriations from contingency appropriation.

Monthly reports, §6-63-312.

Graduates requiring postsecondary remediation, §6-61-221.

Minority enrollment, §6-61-124.

Private outside work using campus facilities.

Financial reports, §6-62-401.

Remediation cost for academic year.

Required as condition for receiving state funds, §6-62-107.

Scholarships.

Annual report to general assembly on impact of programs, §6-82-104.

Uniform reporting standards.

Revenues and expenditures, §6-61-222.

Research development.

Administration of program, §6-61-803.

Citation of subchapter, §6-61-801.

Creation of program, §6-61-803.

Funds.

Applications for funds, §6-61-808.

Uses, §6-61-807.

Legislative intent, §6-61-802.

Purpose of subchapter, §6-61-802.

Short title of subchapter, §6-61-801.

Residents, §6-60-210.**Retention.**

Rate information, §6-61-220.

Revenue uniform reporting standards, §6-61-222.**Review of existing programs of higher education.**

Department of higher education.

Duties of department to review, §6-61-304.

Rich Mountain community college, §§6-61-701 to 6-61-706.

See RICH MOUNTAIN COMMUNITY COLLEGE.

Rising junior test, §6-61-114.**Rules and regulations.**

Athletic programs, §6-62-806.

Expansion of institutions, §6-61-303.

UNIVERSITIES AND COLLEGES

—Cont'd

Rules and regulations —Cont'd

Immunization of enrollees.

Authority of state board of health to adopt rules, §6-60-503.

Enforcement of rules, §6-60-503.

Improvement districts.

Commissioners, §6-71-104.

Race.

Unconstitutional or illegal references to race.

Removal, §6-61-113.

Scholarships.

Peace officers, firefighters, teachers and certain state employees, §6-82-502.

Tuition.

Prisoners of war or persons missing or killed in action.

Free tuition and fees, §6-82-601.

Salaries.

Employees.

Higher education expenditure restrictions. See within this heading, "Employees."

Insurance.

Deductions for group insurance premiums, §6-63-102.

Faculty/administrator development fellows program.

Postfellowship employment, §6-63-413.

Private contributors.

Increase in maximum authorized compensation level.

Authorization, §6-62-103.

Purposes of act, §6-62-103.

Qualifications of individual to receive payments, §6-62-103.

Savings bonds, §§6-62-701 to 6-62-727.

Amount of principal, §6-62-708.

Amount outstanding, §6-62-707.

Arkansas development finance authority.

Definition of "authority," §6-62-703.

Marketing strategies.

Development, §6-62-706.

Powers and duties, §6-62-705.

Authority to issue bonds, §6-62-707.

Duties as to issuance of bonds, §6-62-709.

Resolutions of authority.

Issuance of bonds, §6-62-714.

Authorized, §6-62-707.

Bond funds, §6-62-719.

Citation of subchapter, §6-62-701.

UNIVERSITIES AND COLLEGES

—Cont'd

Savings bonds —Cont'd

Conditions and terms.

Generally, §6-62-712.

Series bonds, §6-62-713.

Construction of subchapter, §6-62-704.

Debt service reserve fund, §6-62-719.

Declaration of public necessity,
§6-62-702.

Definitions, §6-62-703.

Deposit of proceeds, §6-62-723.

Disbursement of funds, §6-62-724.

Employment of administrative agents,
fiscal agent and legal counsel,
§6-62-717.

Execution, §6-62-716.

Financial aid or assistance, §6-62-706.

Financial incentives, §6-62-710.

Financial resources, §6-62-706.

General obligations, §6-62-718.

Incentives.

Financial incentives, §6-62-710.

Investments, §6-62-724.

Legal investments, §6-62-720.

Judicial review, §6-62-725.

Priority, §6-62-725.

Legislative findings, §6-62-702.

Liabilities and rights, §§6-62-721,
6-62-722.

Marketing strategies.

Development by authority,
§6-62-706.

Payment, §6-62-719.

Pledge of revenues, §6-62-718.

Principal amount, §6-62-708.

Projects.

Selection, §6-62-714.

Purposes, §6-62-711.

Refunding bonds, §6-62-715.

Rights and liabilities, §§6-62-721,
6-62-722.Rules and regulations, §§6-62-726,
6-62-727.

Sale, §6-62-717.

Deposit of proceeds, §6-62-723.

Series bonds.

Terms and conditions, §6-62-713.

State board of higher education.

Powers and duties, §6-62-705.

Issuance of bonds, §6-62-709.

Tax exemption, §6-62-720.

Terms and conditions.

Generally, §6-62-712.

Series bonds, §6-62-713.

Title of subchapter, §6-62-701.

Trust indentures, §6-62-714.

UNIVERSITIES AND COLLEGES

—Cont'd

Scholarships.

Allocation, §6-82-209.

Amount, §6-82-208.

Award directly to student, §6-82-210.

Critical needs minority teacher
scholarship program, §§6-82-1501
to 6-82-1506.

Eligibility, §§6-82-205, 6-82-206.

Enhancement of student assistance
grant program, §6-82-213.Governor's scholars program,
§§6-82-301 to 6-82-314.

See EDUCATION.

Minority scholarship or grant
programs.

Annual review, §6-82-102.

Peace officers, firefighters, teachers
and certain state employees.Age limit for scholarships,
§6-82-505.

Application for benefits.

Written application, §6-82-506.

Awards to children, §6-82-504.

Definitions, §6-82-501.

Entitlement, §6-82-503.

Age limit, §6-82-505.

Rules and regulations, §6-82-502.

Self-inflicted injuries.

Benefits not to accrue, §6-82-503.

Spouses.

Remarriage, §6-82-505.

Written application for benefits,
§6-82-506.Police corps program, §§6-82-1201 to
6-82-1206.

Refunds, §6-82-211.

Reports.

Annual report to general assembly
on impact of programs,
§6-82-104.

Residents, §6-60-210.

Selective service act.

Compliance with required,
§6-80-102.

State scholarship program.

Administration.

Department to administer,
§6-82-204.

Applications.

Termination date for acceptance,
§6-82-204.

Definitions, §6-82-202.

Department of higher education.

Administration of program,
§6-82-204.

UNIVERSITIES AND COLLEGES

—Cont'd

Scholarships —Cont'd

State scholarship program —Cont'd

Department of higher education

—Cont'd

Authority and responsibility,
§6-82-204.

Duties of applicant, §6-82-207.

Established, §6-82-203.

Legislative intent, §6-82-201.

Purpose of act, §6-82-201.

Student loans.

General provisions.

See STUDENT LOANS.

Teachers.

Critical needs minority teacher
scholarship program,
§§6-82-1501 to 6-82-1506.University assisted teacher
recruitment and retention grant
program, §6-81-1301.

Transfer to other school, §6-82-212.

Withdrawal of recipient from
institution.

Refunds, §6-82-211.

Second effort scholarship program.

Amount of award, §6-82-1104.

Creation, §6-82-1101.

Definitions, §6-82-1102.

Department of higher education.

Review of program by director,
§6-82-1105.

Rulemaking authority, §6-82-1105.

Duration of award, §6-82-1104.

Eligible students, §6-82-1103.

Certified list, §6-82-1105.

Funding, §6-82-1104.

Number of scholarships, §6-82-1103.

Purpose, §6-82-1101.

Review, §6-82-1105.

Rules and regulations.

Promulgation by department of
higher education, §6-82-1105.**Selective service act.**

Compliance with required, §6-80-102.

Registration, §6-80-104.

Service of process.

Improvement districts.

Assessments.

Liens.

Constructive service in actions
to enforce, §6-71-124.**Sick leave for employees.**Catastrophic leave bank program,
§§6-63-601, 6-63-602.**Sign language.**American sign language as foreign
language, §6-61-125.**UNIVERSITIES AND COLLEGES**

—Cont'd

Social security number.Student or employee identification
cards, §6-61-126.**Southern Arkansas university.**

Generally, §§6-65-401 to 6-65-410.

See SOUTHERN ARKANSAS
UNIVERSITY.**Southern regional education
compact.**

Board.

Contracts and cooperation with
board, §6-61-402.**Southwest Arkansas higher
education consortium,**

§6-61-1201.

Student enrollee.

Immunization, §§6-60-501 to 6-60-504.

See within this heading,
“Immunization of enrollees.”**Student incentive grant program,**

§6-61-401.

Student loans.General provisions, §§6-81-101 to
6-81-130.

See STUDENT LOANS.

**Student outcomes assessment
program, §6-61-111.****Students called into military
service, §6-61-112.****Summons and process.**

Improvement districts.

Assessments.

Liens.

Actions to enforce, §6-71-123.

Supreme court.

Improvement districts.

Assessments.

Actions to enforce lien.

Appeals to supreme court,
§6-71-136.**Taxation.**Trust conveyances to state for higher
learning institutions.

Exemption from tax, §6-62-506.

Teachers.Early childhood development and
teaching.

Funding of projects, §6-5-104.

Guidelines for projects, §6-5-102.

Projects, §6-5-101.

Role of colleges in projects, §6-5-103.

Religious clothing.

Authorized to wear, §6-63-101.

State teacher assistance resource
program, §§6-81-1501 to
6-81-1507.

UNIVERSITIES AND COLLEGES

—Cont'd

Teachers —Cont'd

Student teachers.

Contracts, §6-17-305.

Technical colleges.Bond issues for capital improvements,
§§6-61-1001 to 6-61-1014.See TECHNICAL COLLEGE AND
COMMUNITY COLLEGE
CAPITAL IMPROVEMENTS.Ouachita technical college, Malvern,
§§6-54-101 to 6-54-105.See OUACHITA TECHNICAL
COLLEGE, MALVERN.Postsecondary vocational and technical
education.Technical colleges generally,
§§6-53-301 to 6-53-307.See VOCATIONAL EDUCATION
AND REHABILITATION.Technical college districts, §§6-53-601
to 6-53-605.See TECHNICAL COLLEGE
DISTRICTS.**Transfer and lease of property.**

Affidavits.

Appraisers, §6-62-610.

Agreement for transfer and lease,
§6-62-611.

Appraisers.

Affidavit, §6-62-610.

Compensation, §6-62-610.

Determination of market value and
fair market rental, §6-62-610.

Authorized, §6-62-602.

Bank funds.

Defined, §6-62-601.

Money received as consideration
declared bank funds, §6-62-613.

Board.

Authority to transfer and lease
property, §6-62-602.

Defined, §6-62-601.

Execution of contracts, §6-62-605.

Personal liability under lease
agreement, §6-62-612.

Resolution authorizing, §6-62-608.

Building permits.

Exemption from compliance with
laws, §6-62-606.

Consideration, §6-62-613.

Contracts.

Execution of contracts, §6-62-605.

Conveyances.

Instruments of conveyance,
§6-62-611.**UNIVERSITIES AND COLLEGES**

—Cont'd

Transfer and lease of property

—Cont'd

Credit.

Terms of transfer, §6-62-609.

Defaults.

Right to cure default, §6-62-607.

Definitions, §6-62-601.

Encumbrances.

Right to mortgage or encumber
property, §6-62-607.

Fair market value.

Determination, §6-62-610.

Insurance.

Title insurance, §6-62-611.

Investments.

Money received as consideration for
transfer, §6-62-613.

Lease agreement.

Board's obligations under
agreement, §6-62-612.

Defined, §6-62-601.

Options, §6-62-612.

Repurchase of property, §6-62-612.

Right of first refusal, §6-62-612.

Liability.

Personal liability of members of
board under lease agreement,
§6-62-612.Money received as consideration for
transfer, §6-62-613.

Mortgages and deeds of trust.

Right to mortgage or encumber
property, §6-62-607.Negotiations with potential owners,
§6-62-609.

Owners.

Defined, §6-62-601.

Negotiations with potential owners,
§6-62-609.

Price.

Terms of transfer, §6-62-609.

Property.

Defined, §6-62-601.

Repurchase of property.

Lease agreement, §6-62-612.

Resolution authorizing, §6-62-608.

State building authority.

Review by, §6-62-606.

Terms of transfer, §6-62-609.

Title insurance, §6-62-611.

Zoning.

Exemption from compliance with
laws, §6-62-606.**Transfer of programs**, §6-61-104.**Transfer students.**

Board of higher education.

Policies for, §6-61-216.

UNIVERSITIES AND COLLEGES

—Cont'd

Trusts and trustees.

Board of higher education.

Administration of trusts and endowments, §6-61-213.

Conveyances to state for higher learning institutions.

Administration by board of institutions, §6-62-503.

Authorized, §6-62-502.

Definitions, §6-62-501.

Discharge of encumbrances only from funds of property, §6-62-504.

Fee simple title subject to encumbrances, §6-62-504.

Income from property.

Deposit for benefit of institution. Separate deposit, §6-62-507.

No charge of income against appropriations, §6-62-507.

Manner of dealing with property, §6-62-505.

Recordation, §6-62-503.

Tax exemption, §6-62-506.

Tuition.

Board of higher education.

Powers and duties as to student fees, §6-61-215.

Dental student in out-of-state professional programs.

Repayment of tuition by state of Arkansas, §§6-81-1103, 6-81-1104.

Military affairs.

In-state tuition for military personnel and dependents, §6-60-205.

World War I veterans.

Free tuition, §6-60-206.

Out-of-state tuition, §6-82-103.

Prisoners of war or persons missing or killed in action.

Free tuition and fees for dependents.

Allowance, §6-82-601.

Definitions, §6-82-601.

Rules and regulations, §6-82-601.

Professional schools.

Tuition assistance for students attending certain out of state professional schools, §6-81-1101.

Tax-deferred tuition savings program, §§6-84-101 to 6-84-113.

See TAX-DEFERRED TUITION SAVINGS PROGRAM.

UNIVERSITIES AND COLLEGES

—Cont'd

Tuition —Cont'd

Veterans having served between September 16, 1940 and December 31, 1946.

Children of certain veterans, §6-82-602.

Veterans of World War I.

Free tuition, §6-60-206.

United States.

Commission on coordination of higher education finance.

Designation of commission as state agency for grant under federal act, §6-62-313.

Higher education facilities act of 1963.

Commission on coordination of higher education finance.

Designation as state agency for grant under act, §6-62-313.

Liberal construction of act, §6-62-313.

Participation plan for federal grant, §6-62-313.

University of Arkansas, §§6-64-101 to 6-64-1010.

See UNIVERSITY OF ARKANSAS.

University of Central Arkansas, §§6-67-101 to 6-67-114.

See UNIVERSITY OF CENTRAL ARKANSAS.

Veterans.**Tuition.**

Children of certain veterans having served between September 16, 1940 and December 31, 1946, §6-82-602.

World War I veterans.

Free tuition, §6-60-206.

Vocational education and rehabilitation.

Postsecondary vocational and technical education.

Generally, §§6-51-901 to 6-51-907.

See VOCATIONAL EDUCATION AND REHABILITATION.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505.

See VOCATIONAL EDUCATION AND REHABILITATION.

Waiver.**Fees.**

Aged persons.

General student fee charges waived for persons over sixty, §6-60-204.

UNIVERSITIES AND COLLEGES

—Cont'd

Warrants for the payment of money.

Improvement districts.

Assessments.

Collection of assessments,
§6-71-116.**Water supply and waterworks.**Sale of water by state institutions of
higher learning.

Prohibited, §6-62-101.

Void contracts, §6-62-101.

**Workers' compensation, §§6-62-1001
to 6-62-1004.**

Coverage required, §6-62-1001.

Election to provide coverage through
claims division, §6-62-1004.Election to provide self-funded
coverage, §6-62-1002.Private, municipal or self-funded
coverage, §6-62-1003.**UNIVERSITY ASSISTED TEACHER
RECRUITMENT AND
RETENTION GRANT
PROGRAM, §6-81-1301.****UNIVERSITY OF ARKANSAS.****Accounts and accounting.**

Applicability of act.

Funds excepted from applicability,
§6-64-1009.

Claims.

Allowance in payment to be listed,
§6-64-1008.

Dealers.

Itemized account to be filed.

Affidavit attached, §6-64-1006.

Duplicate accounts to be filed,
§6-64-1006.Employees to file monthly accounts,
§6-64-1005.Funds excepted from applicability of
act, §6-64-1009.Itemizing statement for allowance and
payment, §6-64-1007.

Penalties, §6-64-1001.

Affidavits.

Accounts and accounting.

Dealers to file itemized accounts,
§6-64-1006.Attachment of affidavits,
§6-64-1006.**Agricultural department.**

Reports.

Contents, §6-64-217.

Agricultural experiment stations.

Appropriations by counties, §6-64-704.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Board of trustees.

Cotton branch.

Administration of branch by
board, §6-64-709.

Fruit and truck branch.

Administration by board,
§6-64-708.

Livestock and forestry branch.

Administration by board,
§6-64-710.

Branch stations.

Central branch station, §6-64-706.

Cotton branch. See within this
subheading, "Cotton branch."Fruit and truck branch. See within
this subheading, "Fruit and
truck branch."

Location, §6-64-705.

Maintenance, §6-64-705.

Rice branch experiment station. See
within this subheading, "Rice
branch."

Bureau of research and statistics.

Assistants, §6-64-712.

Oath, §6-64-712.

Salaries, §6-64-712.

Collaboration with United States
bureau, §6-64-714.

Contracts with United States.

Authority to make contracts,
§6-64-713.Crop and livestock statistics and
information, §6-64-712.

Publication.

Use of material and information
in publications, §6-64-715.

Reports.

Service of bureau, §6-64-712.

Central branch station, §6-64-706.

Assistant director in charge of,
§6-64-706.

Commission, §6-64-706.

Creation, §6-64-706.

Location, §6-64-706.

Purposes, §6-64-706.

Cotton branch.

Area, §6-64-709.

Board of trustees to administer,
§6-64-709.Bulletins issued by director,
§6-64-709.

Creation, §6-64-709.

Culture of cotton.

Purpose of station to experiment
in cotton culture, §6-64-709.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Cotton branch —Cont'd

Location, §6-64-709.

Purpose, §6-64-709.

Scientists and laboratories of
Arkansas agricultural
experiment station to serve,
§6-64-709.

Course of study, §6-64-702.

Director.

Assistants.

Compensation, §6-64-704.

Expenses, §6-64-704.

Investigation and recommendations,
§6-64-703.

Publication of bulletins.

Contents, §6-64-703.

Federal aid.

Acceptance, §6-64-701.

Fruit and truck branch.

Area, §6-64-708.

Board of trustees to administer,
§6-64-708.

Bulletins issued by director,
§6-64-708.

Creation, §6-64-708.

Culture of fruit.

Purpose of station to experiment
in fruit and truck culture,
§6-64-708.

Location, §6-64-708.

Purpose, §6-64-708.

Scientists and laboratories of
Arkansas experiment station to
serve, §6-64-708.

Investigations.

Director, §6-64-703.

Soils, §6-64-704.

Livestock and forestry branch.

Board of trustees.

Administration, §6-64-710.

Creation, §6-64-710.

Gifts.

Real property gifts may be
accepted, §6-64-710.

Location, §6-64-710.

Real property.

Gifts accepted, §6-64-710.

Purchase, §6-64-710.

Site.

Selection by committee, §6-64-710.

Purchase of supplies, §6-64-704.

Rice branch.

Area, §6-64-707.

UNIVERSITY OF ARKANSAS

—Cont'd

Agricultural experiment stations

—Cont'd

Rice branch —Cont'd

Board of trustees to administer,
§6-64-707.

Bulletins issued by director,
§6-64-707.

Creation, §6-64-707.

Culture of rice.

Purpose of station, §6-64-707.

Location, §6-64-707.

Purpose, §6-64-707.

Scientists and laboratories of
Arkansas agricultural
experiment station to serve,
§6-64-707.

Seed-testing laboratory authorized.

Fee for testing, §6-64-711.

Appropriations.

Agricultural experiment stations.

County appropriations, §6-64-704.

Application of funds for specified
purposes only, §6-64-1002.

Area health education center programs.

Periodic progress reports, §6-64-414.

Athletic department.

Additional compensation, §6-64-1012.

Attendance.

Students.

Penalty for failure to record and
report attendance, §6-64-215.

Record of attendance, §6-64-215.

Report of board on attendance,
§6-64-215.

Teachers.

Penalty for failure to record and
report, §6-64-215.

Report of board on attendance,
§6-64-215.

Basketball.

Radio broadcasts, §6-64-104.

Board of trustees.

Agricultural experiment stations.

Cotton branch.

Administration of branch by
board, §6-64-709.

Fruit and truck branch.

Administration by board,
§6-64-708.

Livestock and forestry branch.

Administration by board,
§6-64-710.

Rice branch.

Administration by board,
§6-64-707.

UNIVERSITY OF ARKANSAS

—Cont'd

Board of trustees —Cont'd

Appointment of members, §6-64-201.

Compensation of trustees, §6-64-201.

Composition, §6-64-201.

Course of study, §6-64-101.

Expenditures.

Reports, §6-64-216.

Expenses of trustees, §6-64-201.

Faculty.

Leaves of absence.

Determination by board,
§6-64-209.

Financial officer.

Bonds, surety, §6-64-211.

Duties, §6-64-211.

Election, §6-64-211.

Meetings of board.

Attendance at meetings,
§6-64-212.

Meetings, §6-64-201.

Financial officers.

Attendance at meetings,
§6-64-212.

President.

Attendance at meetings,
§6-64-207.

Nepotism.

Employment of relatives prohibited.

Exceptions, §6-64-214.

Warrants.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Number of members, §6-64-201.

Powers, §6-64-202.

President.

Expenses, §6-64-207.

Meetings.

Attendance at meetings,
§6-64-207.

Purchasing agent and registrar.

Bonds, surety, §6-64-213.

Duties, §6-64-213.

Salary, §6-64-213.

Real property.

Donated land.

Execution of deed, §6-64-218.

Power to sell, §6-64-218.

Removal of members, §6-64-201.

Charges brought against members.

Findings of examinations and
inquiries.

Reduced to writing, §6-64-206.

Procedure, §6-64-204.

Service of process, §§6-64-204,
6-64-205.

Written findings, §6-64-206.

UNIVERSITY OF ARKANSAS

—Cont'd

Board of trustees —Cont'd

Rules and regulations.

Government of university,
§6-64-203.

Southern regional education compact.

Designation of board as state agent
for out-of-state education,
§6-4-104.Disbursing agent for student
accepted under program,
§6-4-107.Payment by board for accepted
students, §6-4-105.

Status.

Body politic and corporate,
§6-64-202.

Warrants for the payment of money.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.**Bond issues.**Legal education fund, §§6-64-607 to
6-64-619. See within this heading,
"Legal education fund."**Bonds, surety.**

Board of trustees.

Financial officer, §6-64-211.

Purchasing agent and registrar,
§6-64-213.

Military department.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.Execution by surety company.
Amount, §6-64-1003.**Chancellor for medical sciences.**

Housing allowance.

Sale of state-owned home for
chancellor.

Use of proceeds, §6-64-110.

**Chancellors of two-year branch
campuses.**

Housing allowances.

Allowance in lieu of housing,
§6-64-111.**Chaplain.**

Housing allowance, §6-64-109.

Construction.

Legal education fund.

Facilities for legal education,
§6-64-620.

Technology institute.

Improvement and construction of
property authorized, §6-64-805.**Construction and interpretation.**

Law school, §6-64-601.

UNIVERSITY OF ARKANSAS

—Cont'd

Contracts.

- Agricultural experiment stations.
- Bureau of research and statistics.
- United States.
 - Authority to make contract with United States government, §6-64-713.
- Research, education and technical extension.
 - Authority to contract to perform research services, §6-64-905.
 - Authorization of contracts, §6-64-908.
- Technology institute.
 - Research contracts, §6-64-804.

Cooperative extension services.

- Market news reporting program, §6-64-103.

Costs.

- Legal education fund.
 - Levy of additional costs for, §§6-64-604 to 6-64-606.

Counties.

- Agricultural experiment stations.
- Appropriations by counties, §6-64-704.

Course of study.

- Agricultural experimental stations, §6-64-702.
- Board of trustees, §6-64-101.
- Contents, §6-64-101.
- Enumeration, §6-64-101.
- Technology institute.
 - Offerings for courses, §6-64-802.

Dentists.

- School of dental hygiene.
 - Established, §6-64-411.

Employees.

- Accounts and accounting.
 - Monthly accounts, §6-64-1005.
- Salaries and compensation, §6-64-210.

Evening law school division,
§6-64-621.**Experiment stations.**

- Agricultural experiment stations. See within this heading, "Agricultural experiment stations."

Faculty.

- Agricultural college.
 - Free transportation, §6-64-105.
- Assistants, §6-64-208.
- Athletic department.
 - Additional compensation, §6-64-1012.

UNIVERSITY OF ARKANSAS

—Cont'd

Faculty —Cont'd

- Board of trustees.
 - Leaves of absence.
 - Determination by board, §6-64-209.
 - Compensation, §6-64-208.
 - Designation of members, §6-64-208.
 - Leaves of absence, §6-64-209.

Family practice department,
§6-64-409.**Federal aid.**

- Agricultural experiment stations.
 - Acceptance of federal aid, §6-64-701.

Federal land grant of 1862.

- Acceptance, §6-60-101.
- Conditions imposed by grant.
 - Acceptance, §6-60-101.

Fees.

- Agricultural experiment stations.
 - Seed-testing laboratory, §6-64-711.

Financial assistance.

- Applications.
 - Records and reports, §6-80-101.

Football.

- Radio broadcasts, §6-64-104.

Forests and forestry.

- Livestock and forestry branch experiment station. See within this heading, "Agricultural experiment stations."

Funds.

- Athletics instruction fund.
 - Creation, §6-64-1004.
- Football coach.
 - Contracts.
 - Five-year contract authorized, §6-64-1004.
 - Purpose of fund to pay salary of football coach, §6-64-1004.
- Salary.
 - Amount, purpose of act as to amount of salary, §6-64-1004.
 - Transfer of funds in event of deficiency, §6-64-1004.

Receipts.

- Computation of percentage of receipts allocated to fund, §6-64-1004.

- Legal education fund. See within this heading, "Legal education fund."

Revolving loan fund, §6-81-401.**Amount of loans.**

- Maximum amount, §6-81-405.

Applications for loans.

- Committee to accept or reject applications, §6-81-403.

UNIVERSITY OF ARKANSAS

—Cont'd

Funds —Cont'd

Revolving loan fund —Cont'd

Committee to accept or reject applications, §6-81-403.

Creation, §6-81-401.

Defenses.

Invalid defenses, §6-81-407.

Disbursement of fund, §6-81-409.

Eligibility as borrowers, §6-81-402.

Interest on loans, §6-81-404.

Adding to revolving perpetual fund, §6-81-408.

Limitation of actions.

Defenses invalid, §6-81-407.

Maximum loan amount, §6-81-405.

Promissory notes.

Persons securing loans, §6-81-404.

Purpose, §6-81-401.

Repayment of loans.

Regulations, §6-81-406.

Rules and regulations.

Repayment of loans, §6-81-406.

Gifts.

Research, education and technical extension.

Research services.

Acceptance of grants and gifts, §6-64-905.

Hazing, §§6-5-201 to 6-5-204.

See HAZING.

Higher education expenditure restrictions, §§6-63-301 to 6-63-315.

See UNIVERSITIES AND COLLEGES.

Housing allowances.

Chancellor for medical sciences.

Sale of state-owned home.

Use of proceeds, §6-64-110.

Chancellors of two-year branch campuses.

Allowance in lieu of housing, §6-64-111.

Chaplain, §6-64-109.

Interest.

Revolving loan fund, §6-81-404.

Adding of interest to revolving perpetual fund, §6-81-408.

Investigations.

Agricultural experiment stations, §§6-64-703, 6-64-704.

Investments.

Legal education fund.

Legal investments, §6-64-615.

Retirement or pension system funds, §6-64-615.

UNIVERSITY OF ARKANSAS

—Cont'd

Law school.

Bond issues.

Legal education fund, §§6-64-607 to 6-64-619. See within this heading, "Legal education fund."

Construction and interpretation, §6-64-601.

Established, §6-64-602.

Evening law school division, §6-64-621.

Exclusive nature of provisions, §6-64-601.

Legal education fund. See within this heading, "Legal education fund."

Name, §6-64-602.

Leases.

Authorization of leases, §6-64-908.

Legal education fund.

Bond issues.

Agreements, §6-64-613.

Authorized, §6-64-607.

Change in costs for payments of outstanding bonds, §6-64-618.

Construction fund, §6-64-616.

Contract with holders and owner, §6-64-613.

Deposit of proceeds from bonds, §6-64-616.

Enforcement of agreements, §6-64-613.

Excess costs.

Use, §6-64-617.

Execution of bonds, §6-64-610.

Interest, §6-64-609.

Investments.

Legal investments, §6-64-615.

Pension or retirement system funds.

Authorized investments, §6-64-615.

Liability, §6-64-611.

Negotiable instruments, §6-64-609.

Outstanding bonds.

Change in costs for payments, §6-64-618.

Pledge of costs levied, §6-64-612.

Purposes, §6-64-607.

Refunding bonds.

Sale, §6-64-619.

Resolution authorizing, §6-64-608.

Retirement or pension systems.

Investment of funds.

Authorized investments, §6-64-615.

Seal, §6-64-610.

Security.

Contract with holders and owner, §6-64-613.

UNIVERSITY OF ARKANSAS

—Cont'd

Legal education fund —Cont'd

Bond issues —Cont'd

Security —Cont'd

Not secured by mortgage or lien
on land or buildings,
§6-64-611.

Pledge of costs levied, §6-64-612.

Trust indenture, §6-64-608.

Tax exemption, §6-64-614.

Terms and conditions of bonds,
§6-64-609.

Trust indenture, §6-64-608.

Cash funds, §6-64-605.

Construction of legal education
facilities, §6-64-620.

Funds.

Deposit of proceeds from bonds,
§6-64-616.

Costs.

Levy of additional costs for.

Bond issues.

Pledge of costs levied, §6-64-612.

Use of excess funds, §6-64-617.

Cash funds, §6-64-605.

Use and priorities of funds
collected, §6-64-606.

Tax exemption, §6-64-614.

Generally, §6-64-604.

Investments.

Retirement or pension system funds,
§6-64-615.

Priorities, §6-64-606.

Professionals.

Employment, §6-64-620.

Refunding bonds.

Sale, §6-64-619.

Use, §6-64-606.

Library.

Research, education and technical
extension.

Computer and technical library
facilities authorized, §6-64-904.

Limitation of actions.

Revolving loan fund.

Defenses invalid, §6-81-407.

Livestock and forestry branch,

§6-64-710.

Loans.

Revolving loan fund created to aid
students. See within this heading,
“Funds.”

Market news reporting program,

§6-64-103.

Mechanical department.

Reports.

Contents, §6-64-217.

UNIVERSITY OF ARKANSAS

—Cont'd

Military department.

Bonds, surety.

Giving bond to United States to
secure use of arms for military
department, §6-64-1003.

Execution of bond by surety
company.

Amount, §6-64-1003.

Minority scholarship or grant programs.

Annual review, §6-82-102.

Monticello.

Boards or commissions.

Employees may not serve as voting
members, §6-64-106.

Employees as ex officio members only
of boards or commissions,
§6-64-106.

University of Arkansas at Monticello.
Established, §6-64-302.

Nepotism.

Board of trustees.

Employment of relatives.

Exceptions, §6-64-214.

Liability for drawing warrants in
favor of relatives, §6-64-214.

Oaths.

Agricultural experiment stations.

Bureau of research and statistics.
Assistants, §6-64-712.

Penalties.

Accounts and accounting, §6-64-1001.

Attendance of students and teachers.

Failure to record and report,
§6-64-215.

Pharmacists and pharmacies.

School of pharmacy.

Applicability of laws, §6-64-415.

Authorized, §6-64-410.

Pine Bluff campus.

University of Arkansas at Pine Bluff.

Board of visitors, §6-64-304.

Appointment of members,
§6-64-304.

Purposes, §6-64-304.

Terms of members, §6-64-304.

Established, §6-64-303.

Programs, §6-64-303.

Publications.

Agricultural experiment stations.

Bulletins published by directors.

Contents, §6-64-703.

Bureau of research and statistics.

Use of material and information
in publications, §6-64-715.

UNIVERSITY OF ARKANSAS

—Cont'd

Purchases.

Agricultural experiment stations,
\$6-64-704.

Radio.

Basketball games, \$6-64-104.
Football games, \$6-64-104.

Railroads.

Free transportation for certain officers,
\$6-64-105.

Real property.

Agricultural experiment stations.
Livestock and forestry branch.
Purchase or gift of land,
\$6-64-710.

Donated land.

Execution of deed, \$6-64-218.
Power to sell, \$6-64-218.

Research and education program.
Established, \$6-64-102.

Records.

Attendance of students and teachers,
\$6-64-215.

Penalty for failure to record,
\$6-64-215.

Financial assistance.

Applications, \$6-80-101.

Reports.

Agricultural and mechanical
departments.

Contents of report, \$6-64-217.

Agricultural experiment stations.
Bureau of research and statistics,
\$6-64-712.

Attendance of students and teachers.

Board's report, \$6-64-215.

Penalty for failure to report,
\$6-64-215.

Expenditures, \$6-64-216.

Financial assistance.

Applications, \$6-80-101.

Radio broadcasting of football and
basketball games, \$6-64-104.

Research.

Agricultural experiment stations.
Bureau of research and statistics.
See within this heading,
"Agricultural experiment
stations."

Research, education and technical extension.

Assistance and guidance for research
to government, education and
business interest, \$6-64-906.

Center to offer advanced instruction
and engage in research and
educational services, \$6-64-903.

UNIVERSITY OF ARKANSAS

—Cont'd

Research, education and technical extension —Cont'd

Computer and technical library
facilities.

Authorized, \$6-64-904.

Contracts.

Authority to contract to perform
research services, \$6-64-905.

Authorized, \$6-64-908.

Divisions of center, \$6-64-901.

Employees.

Service on boards or commissions,
\$6-64-106.

Establishment.

Authorized, \$6-64-901.

Expansion and reorganization to be
from surplus financial resources.

Authorized use of resources,
\$6-64-907.

Graduate institute of technology,
\$6-64-902.

Guidance and assistance for research
to government, education and
business interests, \$6-64-906.

Industrial research and extension
center, \$6-64-902.

Leases authorized, \$6-64-908.

Library.

Computer and technical library
facilities authorized, \$6-64-904.

Operation.

Authorized, \$6-64-901.

Research and educational services.

Center to offer advanced instruction
and engage in research and
educational services, \$6-64-903.

Contracting to perform, \$6-64-905.

Grants and gifts.

Acceptance, \$6-64-905.

Surplus financial resources.

Extension and reorganization from
surplus resources.

Authorized use of resources,
\$6-64-907.

Rules and regulations.

Government of university, \$6-64-203.

Revolving loan fund, \$6-81-406.

Scholarships.

Minority scholarship or grant
program.

Annual review by state board of
higher education, \$6-82-102.

School of law.

Legal education fund. See within this
heading, "Legal education fund."

UNIVERSITY OF ARKANSAS

—Cont'd

Secondary education.

Professor of secondary education.

Free transportation, §6-64-105.

Seeds.

Laboratory to test.

Authorized, §6-64-711.

Fee, §6-64-711.

Service of process.

Board of trustees.

Removal of members.

Charges brought against
members, §§6-64-204,
6-64-205.**Soils.**

Agricultural experiment stations.

Investigation and classification of
soils, §6-64-704.**Southern regional education
compact.**

Board of trustees.

Designation of board as state agent
for out-of-state education,
§6-4-104.Disbursing agent for student
accepted under program,
§6-4-107.Payment by board for accepted
students, §6-4-105.**State Medical center.**General provisions, §§6-64-401 to
6-64-415.See UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES.**Students.**

Attendance.

Penalty for failure to record and
report attendance, §6-64-215.

Record of attendance, §6-64-215.

Report of board on attendance,
§6-64-215.**Taxation.**

Legal education fund.

Bond issues.

Exemption from tax, §6-64-614.

Teachers.

Attendance.

Penalty for failure to record and
report, §6-64-215.

Record of attendance, §6-64-215.

Report of board on attendance,
§6-64-215.

Salaries, §6-64-210.

Technology institute.Construction and improvement of
property authorized, §6-64-805.**UNIVERSITY OF ARKANSAS**

—Cont'd

Technology institute —Cont'd

Contributions.

Acceptance, §6-64-804.

Course of study.

Offerings for courses, §6-64-802.

Establishment.

Authorized, §6-64-801.

Funds, §6-64-803.

Use of funds, §6-64-803.

Grants in aid, §6-64-804.

Operation.

Authorized, §6-64-801.

Research contracts, §6-64-804.

Transportation.Free transportation for certain officers,
§6-64-105.

Research and education program.

Funding, §6-64-1010.

Truck branch experiment station.Fruit and truck branch. See within
this heading, "Agricultural
experiment stations."**United States.**

Agricultural experiment stations.

Bureau of research and statistics.

Collaboration with United States
bureau, §6-64-714.Contracts with United States,
§6-64-713.

Federal land grant of 1862.

Acceptance, §6-60-101.

Conditions imposed by grant.

Acceptance of conditions,
§6-60-101.**Warrants for the payment of money.**

Board of trustees.

Nepotism.

Liability for drawing warrants in
favor of relatives, §6-64-214.**UNIVERSITY OF ARKANSAS AT
LITTLE ROCK.****College of information science and
engineering, §§6-64-1101 to**

6-64-1103.

Creation, §6-64-1102.

Funding, §6-64-1102.

Legislative findings, §6-64-1101.

Department of criminal justice.

Police corps program.

Administration, §§6-82-1204 to
6-82-1206.**Established, §6-64-301.****Operation, §6-64-301.****Research, education and technical
extension.**

Little Rock graduate center, §6-64-902.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES.

Admissions, §6-64-406.

Allocation by congressional districts, state at-large and nonresidents.

Selection, §6-64-406.

Medical admissions board, §6-64-405.

Appointment of members, §6-64-405.

Compensation of members, §6-64-405.

Composition, §6-64-405.

Number of members, §6-64-405.

Rules and regulations, §6-64-405.

Publication of policies and procedures, §6-64-406.

Transfer students.

Criteria for considering and approving, §6-64-407.

Alcoholism and drug abuse prevention.

Chair on, §6-64-412.

Allowances.

Special allowances, §6-64-413.

Alternates.

Community match loan, §6-81-717.

Rural medical practice loans, §6-81-718.

Appeals.

Rural medical practice student loans and scholarships.

Decisions of board, §6-81-714.

Applicability of laws, §6-64-415.

Board of trustees.

Control and management by board, §6-64-402.

Cost of maintenance, §6-64-408.

Family practice department, §6-64-409.

Fees.

Collection and disposition, §6-64-408.

Tuition and matriculation, §6-64-408.

Maintenance as part of university, §6-64-401.

Cost of maintenance, §6-64-403.

Name, §6-64-401.

North central area health education center.

Establishment, §6-64-416.

Recruitment of faculty and staff members.

Special allowances, §6-64-413.

Reports.

Progress reports on programs, §6-64-413.

Rural medical practice student loans and scholarships.

Amount of loans.

Maximum amount, §6-81-707.

Appeals, §6-81-714.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES —Cont'd

Rural medical practice student loans and scholarships —Cont'd

Applications.

Investigation, §6-81-704.

Qualifications of students, §6-81-703.

Board.

Compensation, §6-81-702.

Composition, §6-81-702.

Duties, §6-81-702.

Established, §6-81-702.

Powers, §6-81-702.

Reports.

Contents, §6-81-711.

Distribution, §6-81-711.

Travel expenses, §6-81-702.

Community match loan and scholarship program.

Conditions, §6-81-716.

Contract, §§6-81-715, 6-81-716.

Damages, §6-81-710.

Initial and renewal loans, §6-81-715.

Medical school alternates, §6-81-717.

Obligations, §6-81-716.

Tracking loan contract compliance, §6-81-719.

Contracts.

Loan contracts, §6-81-708.

Minority.

Disability removed, §6-81-709.

Damages.

Funding of loans, §6-81-710.

Definitions, §6-81-701.

Funding of loans, §6-81-710.

Initial loans.

Requirements, §6-81-706.

Investigation after application, §6-81-704.

Legislative declaration.

Purpose of loans, §6-81-705.

Maximum amount of loans, §6-81-707.

Medical school alternates, §6-81-718.

Minors.

Disability of minority removed, §6-81-709.

Obligations and conditions, §6-81-708.

Payment for loans drawn against funds held in trust, §6-81-710.

Publication of policies and procedures, §6-64-406.

Purpose of loans, §6-81-705.

Qualifications of students, §6-81-703.

Renewal loans.

Requirements, §6-81-706.

Trust funds.

Payment for loans drawn against funds held in trust, §6-81-710.

**UNIVERSITY OF ARKANSAS FOR
MEDICAL SCIENCES —Cont'd****Scholarships**, §6-64-408.**Special allowances**, §6-64-413.**State medical center.**

Legislative declaration, §6-64-501.

Medical indigents.

Billings to patients, §6-64-508.

Certification procedure, §6-64-504.

Collections from patients, §6-64-508.

Determination of status, §6-64-503.

Other patients.

Admission not affected by
provisions, §6-64-502.Quota of patients from counties and
municipalities, §§6-64-505 to
6-64-507.

Status as.

Determination, §6-64-503.

Paying patients, §6-64-509.

Admissions, §§6-64-502, 6-64-509.

Policies.Review and development of policies
and practices, §6-64-404.

Purpose of provisions, §6-64-501.

Quota of patients from counties and
municipalities, §6-64-505.

Failure to pay.

Withholding state funds,
§6-64-507.Patients not charged against quotas,
§6-64-506.Statement mailed to county or
municipality, §6-64-507.Review and development of policies
and practices, §6-64-404.**Students.**

Applicability of laws, §6-64-415.

Tuition.

Fees, §6-64-408.

**UNIVERSITY OF CENTRAL
ARKANSAS.****Accounts and accounting.**

Board of trustees, §6-67-111.

Appeals.

Board of trustees.

Removal of members, §6-67-102.

Board of trustees.

Accounts and accounting, §6-67-111.

Appeals.

Removal of members, §6-67-102.

Appointment of members, §6-67-102.

Composition, §6-67-102.

Course of study.

Prescribing, §6-67-105.

Creation, §6-67-102.

Duties, §6-67-103.

**UNIVERSITY OF CENTRAL
ARKANSAS —Cont'd****Board of trustees —Cont'd**

Expenditures.

Limitation, §6-67-112.

Expenses of members, §6-67-102.

Funds.

Duties of treasurer of state,
§6-67-111.

Number of members, §6-67-102.

Oath of office, §6-67-102.

Officers, §6-67-102.

Powers, §6-67-103.

Property.

Powers as to, §6-67-103.

Qualifications of members, §6-67-102.

Quorum, §6-67-102.

Removal of members, §6-67-102.

Reports.

Biennial report to general assembly,
§6-67-114.

Rules and regulations, §6-67-103.

Model school, §6-67-106.

Terms of members, §6-67-102.

Vacancies, §6-67-102.

Courses of study, §6-67-105.**Employees.**

Payroll deductions.

University of Central Arkansas
Foundation, Inc.

Contributions to, §6-67-113.

Established, §6-67-101.**Expenditures.**

Limitation.

Duty of board of trustees, §6-67-112.

Federal aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Foundation.

Contributions to.

Payroll deductions, §6-67-113.

Funds.

Board of trustees.

Duties of treasurer of state,
§6-67-111.**Instructors.**

Selection, §6-67-107.

Model school, §6-67-106.**Oaths.**

Board of trustees.

Oath of office, §6-67-102.

Penalties.

Board of trustees.

Oath of office.

Violation of oath, §6-67-102.

Property.

Board of trustees.

Powers as to property, §6-67-102.

**UNIVERSITY OF CENTRAL
ARKANSAS —Cont'd**

Pupils.

Selection, §6-67-107.

Purpose, §6-67-101.

Reports.

Board of trustees.

Biennial report to general assembly,
§6-67-114.

Rules and regulations.

Board of trustees, §6-67-103.

Model school, §6-67-106.

State aid.

Participation in federal and state aid.

Authorized, §6-67-104.

Treasurer of state.

Funds.

Duties, §6-67-111.

V

VETERANS.

Education.

Korean War veterans.

Awarding high school diploma for
honorably service, §6-16-134.

Vietnam War veterans.

Awarding high school diploma for
honorably service, §6-16-134.

World War II veterans.

Awarding high school diploma for
honorably service, §6-16-133.

Korean War.

High school diploma.

Awarding for honorably service,
§6-16-134.

Universities and colleges.

Tuition.

Children of certain veterans having
served between September 16,
1940 and December 31, 1946,
§6-82-602.

World War I veterans, §6-60-206.

World War II veterans, §6-82-602.

Vietnam war.

High school diploma.

Awarding for honorably service,
§6-16-134.

World War I.

Universities and colleges.

Free tuition, §6-60-206.

World War II.

High school diploma.

Awarding for honorably service,
§6-16-133.

Universities and colleges.

Tuition, §6-82-602.

VETERINARIANS.

Tuition assistance for residents

attending out of state veterinary
schools, §6-81-1101.

VETERINARY MEDICAL SCHOOLS.

Tuition assistance for residents

attending out of state schools,
§6-81-1101.

VICTIMS OF CRIME.

Education.

Unsafe school choice program,
§6-15-432.

VISUAL ARTS, §6-16-130.

Future art and music teacher's pilot
program, §6-16-131.

VITAL STATISTICS.

Births.

Certificate of birth.

Education.

Presentation of certificate by
pupils, §6-18-208.

Public schools.

Presentation of certificate
required, §6-18-208.

Education.

Certificates of birth.

Presentation required by pupils,
§6-18-208.

**VOCATIONAL EDUCATION AND
REHABILITATION.**

Accounts and accounting.

Acceptance of benefits of congressional
act.

Statement of finances of board of
education, §6-51-214.

Board of education.

Statement of finances, §6-51-214.

Accreditation.

Postsecondary vocational and technical
education.

Reorganization act of 1991.

Interim accreditation, §6-53-209.

Admissions.

Required admission for certain
students, §6-51-103.

Agriculture.

Contracts with vocational agriculture
teachers to be on twelve month
basis, §6-17-802.

Appraisals and appraisers.

Housing construction program,
§6-51-507.

Apprenticeship training program,
§6-52-201.

Allocation of state funds, §6-52-207.

Applicability of subchapter, §6-52-202.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Apprenticeship training program —Cont'd**

Apprenticeship coordination steering committee.

Appointment, §6-52-204.

Construction industry craft training program, §§6-55-101 to 6-55-108.

Planning duties as to, §6-55-104.

Program plan, §6-55-105.

Public policy, §6-55-102.

Rules and regulations, §6-55-108.

Title of act, §6-55-101.

Trust fund, §§6-55-105 to 6-55-107.

Cosponsorship, §6-52-207.

Director, §6-52-207.

Duties, §6-52-205.

Duties of sponsors, §6-52-208.

Fees, §6-52-207.

Qualifications of members, §6-52-204.

Recommendations, §6-52-206.

Rules and regulations, §6-52-203.

Sponsors.

Cosponsorship, §6-52-207.

Duties, §6-52-208.

Terms of office, §6-52-204.

Appropriations.

Acceptance of benefits of congressional act, §6-51-211.

Accounts and accounting.

Statement of finances, §6-51-214.

Assistants appointed by commissioner of education, §6-51-213.

Board of education.

Designation to administer federal and state acts, §6-51-213.

Disbursement, §6-51-212.

Records.

Keeping at capitol, §6-51-213.

Reports.

Annual report of board of education, §6-51-214.

State treasurer as custodian of funds, §6-51-212.

Housing construction program.

Exclusive uses of funds appropriated and received, §6-51-509.

Area vocational-technical and adult education schools.

Branches.

Establishment in public schools, §6-51-204.

Determination of location of schools, §6-51-203.

Equipment, §6-51-205.

Establishment authorized, §6-51-202.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Area vocational-technical and adult education schools —Cont'd**

Gifts.

State board to accept gifts and donations, §6-51-207.

Local boards.

Sale, conveyance or lease of unneeded lands, §6-51-206.

Location.

Determination, §6-51-203.

Operation.

Responsibility of board, §6-51-205.

Personnel, §6-51-205.

Priority, §§6-51-104, 6-51-105.

Public schools.

Establishment of branches or special instruction and training in public schools, §6-51-204.

State board.

Establishment of schools authorized, §6-51-202.

Gifts and donations.

Power to accept, §6-51-207.

Operation.

Responsibility of state board, §6-51-205.

Receipt and administration of federal funds, §6-51-201.

Sale, conveyance or lease of unneeded lands, §6-51-206.

Arkansas industry training program.

Existing industries.

Training of workers in, §6-50-102.

Auctions and auctioneers.

Housing construction program, §6-51-507.

Bids.

Housing construction program, §6-51-507.

Blind persons.

Postsecondary vocational and technical education.

Reorganization act of 1991.

Licensed blind vendors, §6-53-106.

Board of education.

Accounts and accounting.

Statement of finances, §6-51-214.

Administration of federal and state acts, §6-51-213.

Reports, §6-51-214.

State board of vocational education.

See within this heading, "State board of vocational education."

Bond issues.

Buildings, §6-51-216.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Buildings and facilities.

Authority of state board of vocational education to acquire, §6-51-216.

Bond issues.

Indebtedness obligation of board and school, not of state, §6-51-216.

Issuance, §6-51-216.

Laws governing bonds, §6-51-216.

Obligation of board and school, not state, §6-51-216.

Laws governing bonds, §6-51-216.

State board of vocational education.

Authority to acquire, §6-51-216.

Capital outlays.

Postsecondary vocational and technical education.

Reorganization act of 1991, §6-53-207.

College transfer programs.

Postsecondary vocational and technical education.

Approval of programs, §6-53-205.

Community-based education centers.

Advisory council.

Creation, §6-51-805.

Approval of center.

Criteria, §6-51-801.

Board of host school.

Advisory council.

Creation of general advisory council, §6-51-805.

Ownership of property, §6-51-804.

Board of school superintendents, §6-51-804.

Capital equipment.

Ownership, §6-51-804.

Criteria.

Establishment, §6-51-801.

Periodic review and revision, §6-51-801.

Satisfaction.

Approval of center, §6-51-801.

Funding, §6-51-803.

Local education agencies.

Centers declared to meet definition of, §6-51-806.

Policies, §6-51-802.

Property ownership, §6-51-804.

State board of vocational education.

Criteria for centers.

Powers and duties, §6-51-801.

Policies for centers.

Established by board, §6-51-802.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Construction industry craft

training, §§6-55-101 to 6-55-107.

See CONSTRUCTION INDUSTRY CRAFT TRAINING.

Contracts.

Agriculture teachers.

Twelve month basis of contracts, §6-17-802.

Postsecondary vocational and technical education.

Local board of directors.

Contractual authority, §6-51-904.

Private organizations, §6-50-101.

Definitions.

Apprenticeship training program, §6-52-201.

Postsecondary vocational and technical education.

Reorganization act of 1991, §6-53-103.

Tech-prep education, §6-53-501.

Student services program, §6-18-1005.

Director of vocational and technical education, §6-11-102.

Ex officio secretary of state board of vocational education, §6-11-103.

Equipment pools.

Postsecondary vocational and technical education.

Reorganization act of 1991, §6-53-206.

Evidence.

Director of vocational and technical education.

Documents filed in office, §6-11-117.

Existing industries.

Training of workers in, §6-50-102.

Existing workforce training act, §§6-50-701 to 6-50-705.

See EXISTING WORKFORCE TRAINING ACT.

Eye protection, §6-51-102.

Federal aid.

State board of vocational education.

Designation as agency to receive and administer, §6-11-114.

Designation as state educational authority, §6-11-113.

Fees.

Motor vehicles used by schools exempt from taxes and license fees, §6-51-101.

Student fees, §6-51-208.

Disposition of income, §6-51-210.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Funds.**

- Housing construction program.
 - Building trades revolving fund.
 - Creation, §6-51-501.
 - Disbursing officer.
 - Designation, §6-51-510.
 - Sale of units.
 - Deposit of sale money in fund, §6-51-508.

Gifts.

- Area vocational-technical and adult education schools.
 - Acceptance of gifts and donations, §6-51-207.

High schools.

- Vocational-technical high schools permitted, §6-16-306.

Housing construction program.

- Appraisal, §6-51-507.
- Appropriations.
 - Exclusive uses of funds appropriated and received, §6-51-509.

Auctions.

- Notice, §6-51-507.

Bids, §6-51-507.

- Rejection and subsequent auction, §6-51-507.

Building trades advisory committee.

- Approval required, §6-51-502.

Building trades revolving fund.

- Disbursing officer.
 - Designation, §6-51-510.
- Sale of units.

- Deposit of money in fund, §6-51-508.

Conformity of unit to local and state requirements and restrictions, §6-51-506.**Established, §6-51-501.****Funds.**

- Advance of funds upon approval of building trades advisory committee, §6-51-502.

Local and state requirements and restrictions.

- Conformity of unit to local and state requirements and restrictions, §6-51-506.

One dwelling unit annually, §6-51-504.**One dwelling unit at a time, §6-51-504.****Purchases.**

- Considerations, §6-51-503.
- Disposition of offers, §6-51-503.
- Published notice of proposed purchase, §6-51-503.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Housing construction program —Cont'd****Purchases —Cont'd**

- State purchasing law and regulations to be followed, §6-51-505.

Sales.

- Deposit of money in building trades revolving fund, §6-51-508.
- State purchasing law and regulations to be followed, §6-51-505.

Illiteracy.

- Combating illiteracy.
 - Priority, §§6-51-104, 6-51-105.
- Postsecondary vocational and technical education.
 - Reorganization act of 1991.
 - Coordination with secondary vocational-technical education and literacy programs, §6-53-306.

Industrial training in workplace.

- Priority, §§6-51-104, 6-51-105.

Insurance.

- Accident insurance for students, §6-51-209.

Licenses.

- Motor vehicles used by schools exempt from license fees, §6-51-101.

Motor vehicles.

- Exemption from taxes and license fees, §6-51-101.
- Registration of vehicles used for school purposes, §6-51-101.

Multidistrict vocational centers.

- Approval of establishment, §6-51-302.
- Center council, §6-51-304.
 - Duties, §6-51-304.
- Establishment.
 - Approval, §6-51-302.
- Financing, §6-51-305.
- Proposed new centers, §6-51-301.
- Request for proposed new center, §6-51-301.
- State aid, §6-51-305.
- State board.
 - Administration, §6-51-303.
 - Approval of establishment, §6-51-302.

Nepotism.

- Director of vocational and technical education.
 - Restrictions on who may serve as, §6-11-102.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Notice.

- Housing construction program.
- Auction notice, §6-51-507.
- Published notice of proposed purchases, §6-51-503.

Nurses.

- Associate of applied science degree.
- Establishment of program, §6-51-701.
- Granting, §6-51-703.
- Nature of program, §6-51-702.

Occupational and placement specialists.

- Student services, §6-18-1006.

Ouachita technical college, Malvern, §6-54-101 to 6-54-105.

- See OUACHITA TECHNICAL COLLEGE, MALVERN.

Plumbing program.

- Apprentices, §6-51-403.
- Course of instruction.
- Generally, §6-51-401.
- Instructors, §6-51-402.
- Instructors, §6-51-402.
- Licensing, §6-51-404.
- State board.
- Establishment of programs, §6-51-401.

Postsecondary vocational and technical education, §6-51-901 to 6-51-907.

- Accountability measures, §6-51-902.
- Accreditation.
- Reorganization act of 1991.
- Interim accreditation, §6-53-209.
- Board of directors. See within this subheading, "Local board of directors."
- Capital outlays.
- Reorganization act of 1991, §6-53-207.
- College transfer courses, §6-51-907.
- College transfer programs, §6-53-205.
- Comprehensive lifelong learning centers.
- Generally, §6-51-906.
- Declaration of purpose, §6-51-901.
- Definitions.
- Tech-prep education, §6-53-501.
- Equipment pools.
- Reorganization act of 1991, §6-53-206.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Postsecondary vocational and technical education —Cont'd

- Expanded associate degrees.
- Instruction, §6-51-907.
- Housing allowance for college president, §6-61-525.
- Local board of directors.
- Appointment of members, §6-51-903.
- Contractual authority, §6-51-904.
- Duties, §6-51-904.
- Governing authority, §6-51-903.
- Powers, §6-51-904.
- Qualifications of members, §6-51-903.
- Rulemaking authority, §6-51-904.
- Terms of members, §6-51-903.
- Successors filling vacancies, §6-51-903.
- Vacancies on board.
- Filling, §6-51-903.
- Performance indicators, §6-51-902.
- Presidents of institutions, §6-53-303.
- Housing allowance, §6-61-525.
- Purpose of subchapter, §6-51-901.
- Reorganization act of 1991.
- Accreditation.
- Interim accreditation, §6-53-209.
- Administration of courses, programs and institutions.
- College transfer programs, §6-53-205.
- Generally, §6-53-201.
- Interim governance, §6-53-209.
- Blind vendors who are licenses, §6-53-106.
- Capital outlays, §6-53-207.
- College transfer programs.
- Approval, §6-53-205.
- Conversions and consolidations.
- Community colleges.
- Acceptance of technical college as branch campus of community college, §6-53-404.
- Conversion of technical colleges to community colleges, §6-53-403.
- Consolidation procedure, §6-53-405.
- Coordination with institutional boards of trustees, §6-53-401.
- Effect on employees and directors, §6-53-107.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Postsecondary vocational and technical education —Cont'd**

Reorganization act of 1991 —Cont'd

Conversions and consolidations —Cont'd

Technical colleges.

Acceptance as branch campus of community college,
§6-53-404.Conversion of two-year branches to technical colleges,
§6-53-402.

Conversion to community colleges, §6-53-403.

Two-year branches.

Conversion to technical colleges,
§6-53-402.Coordination with secondary vocational-technical education and literacy programs,
§6-53-306.

Definitions, §6-53-103.

Effect of chapter on existing law,
§6-53-104.

Equipment pools, §6-53-206.

Funding by state.

Withdrawal or withholding,
§6-53-105.

Interim accreditation and governance, §6-53-209.

Purpose of chapter, §6-53-102.

State board of higher education.

Duties.

Generally, §6-53-203.

Powers.

Generally, §6-53-203.

Tech-prep education.

Definitions, §6-53-501.

Federal funds.

Designation of agency to receive,
§6-53-505.

Generally, §6-53-501.

Grants for tech-prep education,
§6-53-502.

Applications, §6-53-503.

Approval of application, factors considered, §6-53-504.

Title of chapter, §6-53-101.

Transfers to system after July 1, 1991, §6-53-210.

Student transportation, §6-53-305.

Student tuition and fees, §6-53-304.

Technical colleges.

Acceptance as branch campus of community college, §6-53-404.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd**Postsecondary vocational and technical education —Cont'd**

Technical colleges —Cont'd

Bond issues for capital

improvements generally,
§§6-61-1001 to 6-61-1014.See **TECHNICAL COLLEGE AND COMMUNITY COLLEGE CAPITAL IMPROVEMENTS.**Coordination with secondary vocational-technical education and literacy programs,
§6-53-306.

County support, §6-53-307.

Designated part of system,
§6-53-301.

Institutions designated, §6-53-301.

Local board administration,
§§6-53-301, 6-53-302.Ouachita technical college,
Malverne, §§6-54-101 to 6-54-105.See **OUACHITA TECHNICAL COLLEGE, MALVERN.**

Presidents of institutions, §6-53-303.

Technical college districts,
§§6-53-601 to 6-53-605.See **TECHNICAL COLLEGE DISTRICTS.**Transportation system for student,
§6-53-305.

Tuition and fees, §6-53-304.

Technical institutes.

Generally, §6-51-905.

Property.

Sale of real or personal property.

Disposition of income from,
§6-51-210.**Publication.**

Housing construction program.

Purchases.

Notice of proposed purchases,
§6-51-503.**Purchases.**

Housing construction program.

Considerations, §6-51-503.

State purchasing law and regulations to be followed,
§6-51-505.**Records.**

Appropriations.

Acceptance of benefits of congressional act.

Keeping at capitol, §6-51-213.

State board of vocational education.

Record of proceedings, §6-11-111.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Registration.

Motor vehicles used for school purposes, §6-51-101.

Rehabilitation services division of department of education, §§6-52-101 to 6-52-105.

Americans with disabilities act.

Accessibility guidelines for office facilities, §6-52-105.

Duties, §6-52-103.

Office facilities.

Accessibility, §6-52-105.

Powers, §6-52-103.

Retirement systems eligibility of employees, §6-52-104.

Scope of authority, §6-52-102.

State board of vocational and technical education.

Authority of division administered under direction of board, §6-52-102.

Services provided through rehabilitation services division, §6-52-103.

Transfer of statutory authority, powers, duties, etc., generally, §6-52-102.

Reorganization act of 1991.

Generally, §§6-53-101 to 6-53-505. See within this heading, "Postsecondary vocational and technical education."

Reports.

Acceptance of benefits of congressional act.

Board of education's report, §6-51-214.

Board of education, §6-51-214.

Rules and regulations.

Apprenticeship training program, §6-52-203.

Postsecondary vocational and technical education.

Local board of directors.

Rulemaking authority, §6-51-904.

Student services, §6-18-1003.

Sales.

Housing construction program.

Disposition of proceeds, §6-51-508.

School districts.

Cooperation of various boards in establishing, §6-51-215.

District plan, §6-18-1004.

Taxation.

Use of funds raised by taxation, §6-51-215.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Schools.

Area schools. See within this heading, "Area vocational-technical and adult education schools."

Change of name to "technical institute," §6-51-217.

Priority, §§6-51-104, 6-51-105.

Seals and sealed instruments.

State board.

Official seal, §6-11-107.

State board of education.

Chairman of state board of vocational education, §6-11-103.

Director of vocational and technical education, §6-11-102.

Ex officio secretary of board, §6-11-103.

Duties, §6-11-105.

Federal aid.

Designated as agency to receive and administer, §6-11-114.

Designation as state educational authority, §6-11-113.

Meetings, §6-11-104.

Powers, §6-11-105.

Records.

Proceedings, §6-11-111.

Seal, §6-11-107.

State board of vocational education.

Area vocational-technical and adult education schools.

Establishment of schools authorized, §6-51-202.

Gifts and donations.

Power to accept, §6-51-207.

Operation.

Responsibility of state board, §6-51-205.

Receipt and administration of federal funds, §6-51-201.

Buildings and facilities.

Authority of board to acquire and maintain, §6-51-216.

Community-based education centers.

Criteria for centers.

Powers and duties, §6-51-801.

Policies for centers.

Established by board, §6-51-802.

Multidistrict vocational centers.

Administration, §6-51-303.

Plumbing program.

Establishment of programs, §6-51-401.

**VOCATIONAL EDUCATION AND
REHABILITATION —Cont'd**
**State board of workforce education
and career opportunities.**

- Rehabilitation services division of
department of education.
- Authority of division administered
under direction of board,
§6-52-102.
- Services provided through
rehabilitation services division,
§6-52-103.
- Technical careers student loan
forgiveness program.
- Administration of program,
§6-50-203.
- Approval of educational program,
§6-50-205.
- Certification of eligible persons,
§6-50-206.
- Powers, §6-50-203.
- Youth apprenticeships/work-based
learning program.
- Duties of board, §6-50-505.

Student loans.

- Technical careers student loan
forgiveness program, §§6-50-201 to
6-50-208.
- See TECHNICAL CAREERS
STUDENT LOAN
FORGIVENESS PROGRAM.

Student organizations.

- Reimbursement for participation,
§6-50-103.

Student services.

- Occupational and placement
specialists, §6-18-1006.
- Program.
- Defined, §6-18-1005.
- Purpose of subchapter, §6-18-1002.
- Rules and regulations, §6-18-1003.
- School district plan, §6-18-1004.
- Title of subchapter, §6-18-1001.

System reorganization.

- Postsecondary vocational and technical
education.
- Reorganization act of 1991. See
within this heading,
"Postsecondary vocational and
technical education."

Taxation.

- Motor vehicles used by schools exempt
from taxes, §6-51-101.
- School districts.
- Use of funds raised by taxation,
§6-51-215.

**VOCATIONAL EDUCATION AND
REHABILITATION —Cont'd**

**Technical careers student loan
forgiveness program, §§6-50-201
to 6-50-208.**

- See TECHNICAL CAREERS
STUDENT LOAN FORGIVENESS
PROGRAM.

Technical colleges.

- Generally, §§6-53-301 to 6-53-307. See
within this heading,
"Postsecondary vocational and
technical education."
- Ouachita technical college, Malverne,
§§6-54-101 to 6-54-105.
- See OUACHITA TECHNICAL
COLLEGE, MALVERN.
- Technical college districts, §§6-53-601
to 6-53-605.

- See TECHNICAL COLLEGE
DISTRICTS.

Technical institutes.

- Area vocational-technical and adult
education schools. See within this
heading, "Area
vocational-technical and adult
education schools."
- Change of names of schools to,
§6-51-217.
- Postsecondary vocational and technical
education.
- Generally, §6-51-905.

Training.

- Existing workforce training act,
§§6-50-701 to 6-50-705.
- See EXISTING WORKFORCE
TRAINING ACT.

Universities and colleges.

- Postsecondary vocational and technical
education.
- Generally, §§6-51-901 to 6-51-907.
- See within this heading,
"Postsecondary vocational and
technical education."
- Reorganization act of 1991.
- Generally, §§6-53-101 to 6-53-505.
- See within this heading,
"Postsecondary vocational and
technical education."

Vocational student organizations.

- Reimbursement for student
participation in, §6-50-103.

**Youth apprenticeship/work-based
learning program.**

- Articulation of agreements, §6-50-505.
- Citation of subchapter, §6-50-501.
- Demonstration programs, §6-50-504.
- Establishment, §6-50-503.

VOCATIONAL EDUCATION AND REHABILITATION —Cont'd

Youth apprenticeship/work-based learning program —Cont'd

- Findings of general assembly, §6-50-501.
- Funding for demonstration programs, §6-50-504.
- Industries and occupations.
 - Selected for program, §6-50-503.
- Legislative findings, §6-50-502.
- Principles, §6-50-503.
- State board of workforce education and career opportunities.
 - Duties of board, §6-50-505.
- Title of subchapter, §6-50-501.
- Waiver of regulation, §6-50-505.

W

WAIVER.

Education.

- Beginning of school year.
- Request for waiver, §6-10-106.

Universities and colleges.

- Fees.
 - Aged persons.
 - General student fee charges
 - waived for persons over sixty, §6-60-204.

WARRANTS FOR THE PAYMENT OF MONEY.

Blind persons.

- School for the blind.
 - Clothing and traveling expenses.
 - Application to payment of auditor's warrants in favor of counties, §6-43-110.
 - County treasurer to pay warrants, §6-43-110.
 - Disposition of warrants, §6-43-110.
 - Presenting warrants to county treasurer, §6-43-110.
 - State treasurer to receive warrants in payment, §6-43-110.

Deaf persons.

- School for the deaf.
 - Auditor to draw warrants, §6-43-308.
 - Clothing and traveling expenses, §6-43-110.

Education.

- School districts.
 - Authority to draw warrants, §6-20-403.

WARRANTS FOR THE PAYMENT OF MONEY —Cont'd

Education —Cont'd

- School districts —Cont'd
 - Bonded indebtedness.
 - Description, §6-20-404.
 - Recording by treasurer before cashing, §6-20-404.
 - Required, §6-20-404.
 - Issuance of warrant to pay bond, §6-20-404.
 - Cashing warrants without description.
 - Liability of treasurer and bondsmen, §6-20-404.
 - Countersignatures required, §6-20-403.
 - Energy savings contract, §6-20-405.
 - Improperly drawn warrants.
 - Liability, §6-20-402.
 - Liability of treasurer and bondsmen, §6-20-404.
 - Petty cash fund.
 - Invoices, §6-20-409.
 - Limitations, §6-20-409.
 - Payments from fund stopped until supply delivered, §6-20-409.
 - Postdated warrants, §6-20-402.
- ### **Henderson State University.**
- Board of trustees.
 - Issuance of warrants by auditor, §6-66-110.

Teachers.

- Salaries, §6-17-918.

Universities and colleges.

- Improvement districts.
 - Assessments.
 - Collection of assessments, §6-71-116.

University of Arkansas.

- Board of trustees.
 - Nepotism.
 - Liability for drawing warrants in favor of relatives, §6-64-214.

WATER SUPPLY AND WATERWORKS.

Universities and colleges.

- Sale of water by state institutions of higher learning.
 - Prohibited, §6-62-101.
 - Void contracts, §6-62-101.

WEAPONS.

Civil War reenactments.

- Carrying weapons on school property, §§6-5-501, 6-5-502.

Education.

- Civil War reenactors carrying weapons on school property, §6-5-501.

WEAPONS —Cont'd**Education —Cont'd**

Concealed guns on school property,
§6-21-608.

Evidence.**Schools.**

Concealing guns in school property.
Admissibility of evidence,
§6-21-608.

Schools.

Civil War reenactors carrying weapons
on school property, §6-5-501.
Concealed guns, possession on school
property unlawful, §6-21-608.

WESTARK COMMUNITY COLLEGE.**Employment models.**

Utilization, §6-61-1106.

Model programs, §6-61-1105.**President.**

Housing allowance, §6-61-525.

Sports programs.

Participation in intercollegiate athletic
programs, §6-61-1108.

WITNESSES.**Teachers.****Grievance.**

Right to call witnesses, §6-17-210.

WORKERS' COMPENSATION.**Commission.**

Teachers and employees.

Exclusive jurisdiction vested in
commission, §6-17-1402.

Rulemaking power, §6-17-1402.

Education.**Employees.**

Coverage, §6-17-1401.

Exclusive jurisdiction vested in
workers' compensation
commission, §6-17-1402.

Forms, §6-17-1404.

Notification of award, §6-17-1405.

Reports.

Filing of report by school district
officials, §6-17-1404.

Rulemaking power vested in
commission, §6-17-1402.

Transfer of available federal funds,
§6-17-1405.

School district employees.

Insurance carriers, §6-17-1413.

Liability of district, §6-17-1411.

Responsibility, §6-17-1412.

Rules and regulations.

Teachers, §6-17-1402.

Teachers.

Applicability of coverage, §6-17-1401.

WORKERS' COMPENSATION**—Cont'd****Teachers —Cont'd****Employees.**

Method of financing coverage,
§6-17-1403.

Exclusive jurisdiction of commission,
§6-17-1402.

Forms, §6-17-1404.

Method of financing coverage,
§6-17-1403.

Reports.

Filing report by school district
officials, §6-17-1404.

Rulemaking power vested in
commission, §6-17-1402.

**Universities and colleges, §§6-62-1001
to 6-62-1004.**

WORKFORCE EDUCATION.

**Arkansas workforce improvement
grant program, §§6-82-1601 to
6-82-1614.**

See UNIVERSITIES AND
COLLEGES.

WORKFORCE EDUCATION AND**CAREER OPPORTUNITIES,**

**STATE BOARD OF, §§6-11-201 to
6-11-207.**

Copies of authenticated documents.

Evidentiary effect, §6-11-205.

County boards of education.

Transfers of records to state board,
§6-12-114.

Director.

Office space, §6-11-201.

Surety bond, §6-11-201.

Federal funds.

Designation as state educational
authority, §6-11-205.

Receipt and expenditure, §§6-11-205,
6-11-206.

Official seal, §6-11-204.

Powers and duties, §6-11-205.

Record of proceedings, §6-11-202.

Rulemaking authority.

Compliance with federal requirements,
§§6-11-205, 6-11-207.

Vocational education.

Supervisory oversight, §6-11-203.

WORLD WAR I.**Veterans.**

Universities and colleges.

Free tuition, §6-60-206.

WORLD WAR II.**Veterans.**

Universities and colleges.

Tuition, §6-82-602.

Y

YEAR.**Fiscal year.**

Education.

School fiscal year for state,
§6-20-410.

